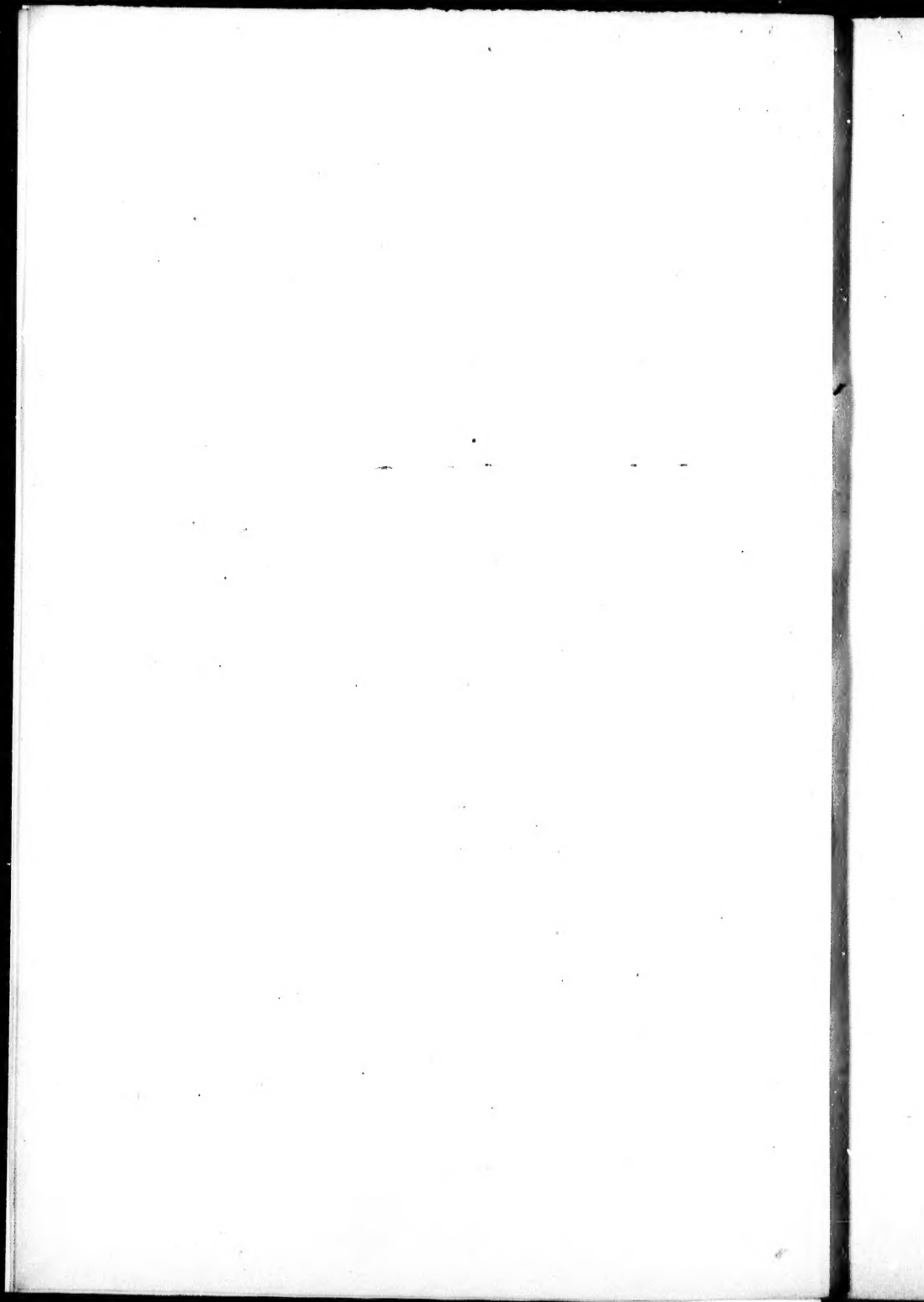




BY - L A W S  
OF THE  
C O R P O R A T I O N  
OF THE  
C I T Y O F V I C T O R I A ,  
*PROVINCE OF BRITISH COLUMBIA.*



VICTORIA, B. C.  
DAILY STANDARD PRINTING HOUSE, GOVERNMENT STREET.  
1877.

Sick - p. 14. 8. 11.

Horses, p. 2.

Bugs, p. 28.

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## No. 1.

*For the Protection of the City against Fire.*

WE, the Mayor and Councillors in Council convened, by virtue of the power and authority vested in us by an Act entitled "An Act to incorporate the City of Victoria," passed the second day of August, A. D. 1862, in the Twenty-sixth year of the reign of Her Most Gracious Majesty Queen Victoria, enact

SEC. 1. No person or persons shall make a bonfire in any public street or thoroughfare at any time, nor have any fire burning out of doors after sunset within the limits of the city.

2. No person or persons shall use a burning candle, lamp, or taper, in any stable or place containing hay, straw, shavings, or any combustible material, within the limits of the city, unless such burning candle, lamp, or taper, be enclosed in a lantern or other safe covering.

3. No person or persons shall fix or pass any stove-pipe through the walls, ceilings, or roof of any wood building.

4. No person or persons shall pass any stove-pipe through any lath and plaster, or wood partition except there be a free space of not less than three inches round the same, which may be covered with perforated iron, zinc, or tin plate.

5. All chimneys, stove-pipes, and flues shall be kept clean; and if any chimney or stove-pipe shall take fire, the person or persons using the same shall be subject to the penalty herein prescribed.

6. No person or person shall build, set, or place any stove, furnace, range, fire-place, or vessel, in which fire may be kept, in such manner that the back thereof be less than sixteen inches from any wood work; all stoves, ranges, etc., built in brick chimneys shall be provided with a stone or brick hearth projecting not less than twelve inches from the fire front: iron stoves, furnaces, etc., detached from the walls of any building shall stand upon stone, brick, zinc, or other incombustible material, which shall project not less than one foot from the front or door of the same.

7. The walls of all chimneys adjoining wood work shall not be less than six inches thick. No joists, bend-timber, or wood of any kind shall be allowed to enter or rest upon any chimney.

8. It shall be the duty of the Fire Wardens in their respective Wards, or upon complaint made to the said Fire Wardens (in writing) by the Chief Engineer of the Fire Department or his Assistant, or by any Police officer, to notify any person or persons failing to comply with the provisions of this By-Law, stating the alterations or amendments required, and all persons so notified shall alter, remove, amend, or destroy whatever obstacle may exist to the proper carrying out of this By-Law within forty-eight hours after the receipt of such notice.

9. The Fire Wardens may, and are hereby authorised to enter any building or tenement within their respective Wards, individually or in company with either the Chief Engineer, his Assistant, or any police officer, to inspect any flues, chimneys, stove-pipes, stoves, furnaces, ranges, fire-places, or other vessel in which fire is kept, and if in his and their opinion the same is constructed, erected or placed contrary to the provisions of this By-Law, he shall give notice and order the alteration or removal of the same as hereinbefore stated.

10. Any person or persons failing to comply with any of the provisions of this By-Law, shall be subject to a penalty not exceeding Five Pounds sterling, (£5) for each offence.

THOMAS HARRIS,

Mayor of the City of Victoria,

this 3rd day of October, 1862.

ALGERNON AUSTEN,

Town Clerk.

## No. 2.

### *Defining the Duties of Fire Wardens, and Regulating the conduct of the Inhabitants at Fires.*

SEC. 1- It shall be the duty of the Mayor and Council at their first meeting after the passing of this By-Law, and thereafter annually, to appoint one Councillor to act in each ward as Fire Wardens.

2. The duty of said Fire Wardens shall be to attend at all fires within their respective wards ; and they shall have chief command in all things pertaining to the preservation of goods and other property that may be endangered. They shall have power to arrange any person or persons at or near the fire in such manner as may be necessary to assist the Fire Department the more effectually to discharge their duty.

3. It shall be the duty of the Mayor and each member of the Council to attend such fires, to assist the Fire Warden, and afford him their counsel and co-operation : and for the more effectual extinguishing of fires, it shall and may be lawful for the said Fire Warden, with the concurrence of the Mayor or either of the Councillors present, and the Chief Engineer of the Fire Department or his Assistants, if present (and they are hereby authorised and empowered so to do,) to cause to be demolished, cut down, or removed, any building, erection, or fence, for the purpose of checking the progress of any conflagration.

4. In the absence of the Fire Warden, at any fire in his ward, either of the Fire Wardens or the Councillor who shall first arrive at the place of fire, shall discharge the duties of Fire Warden until his arrival.

5. All persons not being members of the Fire Department, shall pay implicit obedience to the orders of the Fire Warden, the Mayor or any member of the Council, who shall, during the absence of the Fire Warden, assume the authority of directing at fires.

6. For the better distinguishing of Fire Wardens each shall be provided at the expense of the corporation with a speaking trumpet painted white, having in red letters thereon the words " Fire Warden," and the number of the ward. These trumpets shall be given over to their successors at the expiration of their terms of office.

7. The Fire Wardens shall hold office until their successors shall have been appointed.

8. The owner of every house or block of buildings shall provide and keep constantly on the premises a good strong ladder, long enough to reach the whole height of his principal building.

9. Any person or persons convicted upon information before the Mayor or any Justice of the Peace of this city, of raising a false alarm of fire, shall be subject to the penalty hereinafter mentioned.

10. No person shall oppose or interfere with any Fire Warden in the discharge of his duty as such, or oppose any fireman or constable specially or otherwise engaged in protecting property or in aiding the Fire Department.

11. Any person or persons violating any of the provisions of this By-Law, shall be subject to a penalty not exceeding ten pounds (£10) sterling, or imprisonment not exceeding one month.

12. Nothing herein contained shall be construed to give the Fire Wardens, or any member of the Council acting in their stead, any authority to interfere with the working of the fire-engines or other apparatus of the Fire Department, that may be under the direction of the Chief Engineer or his Assistant.

THOMAS HARRIS, Mayor.

ALFERNON AUSTEN,  
Town Clerk.

### No. 3.

FREDERICK SEYMOUR.

AT A COUNCIL HOLDEN AT VICTORIA, BRITISH COLUMBIA, ON MONDAY THE  
17TH DAY OF MAY, A. D. 1869.

PRESENT.

His Excellency the Governor,  
The Hon. the Colonial Secretary,  
The Hon. the Attorney General,  
The Hon. the Chief Commissioner of Lands and Works,  
The Hon. the Collector of Customs.

WHEREAS under and by virtue of the provisions of the "Health Preamble Ordinance, 1869," the City of Victoria has been declared and proclaimed to be a Health District;

And whereas, the Mayor and Municipal Council of the said City, being the Local Board of Health thereof under the said Statute, have applied to the Governor in Council to make provisions by By-Law under the said Ordinance, for the public health of the said City, and the Harbor thereunto appertaining, which he hath consented to do in manner and form hereinafter more particularly appearing;

It is therefore ordered by His Excellency the Governor of British Columbia, by and with the advice and consent of the Executive Council thereof, that the annexed By-Law called the "Victoria Health By-Law, 1869," shall until repealed or modified by competent authority, be and have the force of law, and with all and singular the provisions thereof, be so recognised and enforced in Judicature and thereout in the said Colony:



*Municipal By-Law to regulate the Sanitary condition of the City  
and Port of Victoria, B. C.*

Occupiers or Proprietors  
of lands and buildings  
to remove sources of filth  
and nuisance.

1. No person or persons occupying any messuage, shop, building, or other erection, or any land or other premises within the City, or if there shall be no occupier thereof, no owner or owners of any messuage, shop building, or other erection, or any land or other premises within the City, shall have, or permit, or suffer to be in or on his, her, or their messuage, shop, building, or erection, or any land or other premises as aforesaid, any ditch, gutter, drain, privy, pigsty, slaughter-house, or ash pit, emitting noxious or offensive effluvia or smell, or constructs so as to be a nuisance to, or injurious to the health of any person or persons, or any swine kept so as to be a nuisance, or offensive by reason of the stench thereof or otherwise, or any dung, manure, refuse, offal, ashes, filth, or other matter or thing emitting noxious or offensive effluvia or smell, or any animal, vegetable, or mineral matter or thing alone, or together with other matters or things in a state of fermentation, putrefaction, decomposition, or decay, or emitting noxious or offensive effluvia or smell, or permit or suffer any messuage, dwelling-house, shop, erection or building whatsoever within the said City, to be in a filthy state, or infected with any kind of vermin, or dirt, or emitting noxious or offensive effluvia, or smell, or shall carry on any noxious or offensive trade or business, but every such person shall remedy or remove the same respectively.

Powers of Board of  
Health or Mayor to re-  
move nuisance.

2. It shall be lawful for the Board of Health of the City of Victoria, or any two of them, or the Mayor alone, by them or himself, their or his agents, servants, officers, or workmen, subject to the powers and authorities of the Governor, and Governor in Council, under the "Health Ordinance, 1869," to make and vary such orders from time to time, enforceable against such person or persons, and in such manner as they or he may find necessary or expedient to prevent or suppress any actual or anticipated epidemic, endemic, contagious, or other diseases or disorders, and summarily to enter, inspect, and abate any nuisance or injury to public health in any hospital, building, house, or land erection, curtilage, street, square, ditch, gutter, drain, privy, yard, pigsty, slaughter-house, well, cesspool, urinal, or any other part or place whatsoever within the limits of the said City, or anything whatsoever likely in their or his opinion to create such nuisance or injury with full power of entry into, and upon, or under, any such place or places to inspect, report on, and remove the same; and to board and inspect all, or any ships and vessels whatsoever entering or touching at the port of Victoria, and to inspect all cattle and stock therein, whether alive or dead, and to make order accordingly, as in their or his opinion the sanitary condition of such ships, vessels, or animals, may seem to require, with full power to enforce such quarantine, as may seem necessary; and in each case, with the concurrence of the Stipendiary Magistrate of the City of Victoria thereto first had and obtained, from time to time, and at any time, to prevent and remove all or any Indians, not for the time being actually in the service of any person residing in or about the said City, from living within the limits of the said City, and to specify the conditions (if any) under which they, or some of them, shall be allowed to remain there; provided that no such removal shall take place until the intention so to remove the said Indians generally shall have been first duly published in the *Government Gazette*, or one or more daily newspapers circulating within the said City; and generally with full power from time to time,

To board ships

To remove Indians.

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and at any time hereafter, to make, do, vary, and by proper penalties, enforce all such provisions for the more effectual inspection of any hospital, building, house, land, erection, curtilage, street, square, yard, ditch, gutter, drain, privy, pigsty, slaughter-house, well, cesspool, urinal, or any other part or place whatsoever within the said limits, and the removal or abatement of any nuisance existing, or likely to arise therefrom, or therein, or to aid in carrying out the intention of the said Board or any two of them, as to such Board of Health, or any two of them, or the Mayor of said City, shall seem a advisable.

Provided, however, that no person or persons shall be liable to any penalty for the infraction of this By-Law, until he, she, or they, shall have received notice from one or more members of the Board of Health, in manner, hereinafter mentioned, and until he, she, or they, shall have neglected, by the space of time therein mentioned, to abate or remove the offensive matter or thing noticed in such notice and therein complained of, or to do the act, matter, or thing required of him, her, or them by such notice within the space of time limited by such notice.

Provided, however, that in case of diseased animals, alive or dead, the Board of Health shall have power to take immediate action, as also in cases of quarantine, where immediate danger is apprehended. For the purposes of this By-Law the Port of Victoria shall be deemed to be part of the Health District of Victoria.

3. The Board of Health shall have power to enter any hospital, building, house, land, gaol, erection, curtilage, street, square, ditch, gutter, drain, privy, pigsty, slaughter-house, well, cesspool, urinal, shop, messuage, or land, or other premises within the City, and whether, or not the same be occupied, or the curtilage of any of the same, and inspect the condition of the same between the hours of eight in the morning and eight in the evening.

4. No person or persons shall permit, after due notice in that behalf given, any animal or vegetable matter, in a decomposed or putrifying condition, to remain on the premises occupied by him or them, but shall immediately remove the same; nor shall any person or persons throw the same, or cause the same to be thrown, removed, or placed in any other land, street, or place, either within or without the City, where any danger to the public health may arise, or be reasonably feared.

5. Any member of the Board of Health may notify any person or persons on or occupying any messuage, dwelling-house, shop, building or other erection, or the curtilage of any of the same or other land or premises within the City, or if the same be unoccupied, then the owner of any such messuage, dwelling-house, shop, building, or other erection, or the curtilage of any of the same or other land or premises within the City on which any matter or thing may be done, permitted, or suffered, contrary to the intention of this By-Law (according to the form of Schedule A annexed) to remove such nuisance as before mentioned, or to close up, purify, cover, or cleanse, any well, cesspool, urinal, drain, privy, ditch, pigsty, or gutter, or otherwise to abate or remove the matter or thing noticed in such notice, as in his, or their judgment shall seem meet, by giving notice in writing as per Schedule aforesaid signed by one or more of the members of the Board of Health, specifying the act to be done, and the time in which the same is required to be done, such notice may be given to the occupier or owner of such messuage, dwelling-house, shop, building, or other erection or the curtilage of any of the same, or of the land or premises in the City, or by leaving the same at his, her or their last known

Service of.

place of abode, or by fixing the same or a copy thereof on some conspicuous part of the premises.

Board may abate nuisances on unoccupied premises at the cost of the owner.

6. In the event of any messuage, shop, building, house, or other erection, or any land for other premises, within the City being unoccupied, and the owner or owners thereof neglecting or refusing to abate or remove any matter or thing done, permitted or suffered contrary to the requirements of this By-Law, either absolutely or in the terms of any such notice as aforesaid, duly served as aforesaid, within the time in that behalf specified, it shall be lawful for one or more members of the Board of Health, or their servants or agents in that behalf, to do the act, or acts, matters, or things, required to be done or performed by such notice, at the cost and charges of the owner or owners of such messuage, shop, building, house or other erection, or any land or other premises, the said costs and charges to be recoverable by action, as work and labor done and money paid by them for the use of such owner or owners, as if done at his, her, or their actual request, or in such other forms as is proper in law.

Notice not to be void for informality.

7. Any notice required under this By-Law may be given as near as circumstances will admit in each case (in the form pointed out in Section 5 of this By-Law), and every such notice shall be sufficient notice for all purposes, and shall not be void for informality, provided that it shall express the substance of the matter intended thereby to be notified.

Penalty for disposing of diseased animals, &c

8. A penalty of Fifty Dollars (\$50) shall be imposed by the said Board of Health, or any two of them in each case, upon all persons found disposing of unsound or unwholesome live or dead animals, or part thereof, and all diseased animals found on board any vessel or vessels within or touching at the Port of Victoria shall be seized and forfeited by order of the Board of Health, or any two of them, and that without compensation.

Penalty for obstructing Health Officer, &c.

9. Whoever shall wilfully obstruct any Health Officer, or any member of the Local Board of Health, or any Officer or Person duly employed in the execution of this By-Law, or destroy, pull down, injure, or deface any board, placard, or notice made or published under this By-Law, or in any way commit any wilful breach or contravention of any provision, or part of any provision of this By-Law, shall be punishable summarily before the Stipendiary Magistrate of Victoria, upon information under oath, and upon conviction by any fine not exceeding for a first offence One Hundred Dollars, and for a second offence any sum not exceeding Two Hundred Dollars.

Mode of action for recovery of penalty.

10. Every penalty imposed by this By-Law in pursuance thereof may, with the costs of conviction, be levied by distress and sale of the goods and chattels of any offender, and in default of payment of such penalty and costs, or any part thereof, then by imprisonment of such offender for any term not exceeding Three calendar months, in one of Her Majesty's gaols; and no warrant of commitment upon a conviction under this By-Law shall be held to be invalid by reason of any defect or informality, if it be therein alleged that the offender has been convicted, and there be a good and valid conviction to sustain the same.

Construction

11. In the construction of this By-Law in describing or referring to any person or party, matter or thing, where any word importing the masculine gender or singular number is used, the same shall be understood to include and shall be applicable to several persons and parties as well as one person or party, and females as

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well as males, and bodies corporate as well as individuals, and several matters and things as well as one matter or thing, unless it otherwise be provided or there be something in the subject or context repugnant to such construction.

#### SCHEDULE A.

*To the owner (or occupier) as the case may be.*

Notice is hereby given that you are required within from the date hereof to and in default of so doing, you will be proceeded against under the provisions of the "Health Ordinance, 1869," and the By-Law or By-Laws made in pursuance thereof to regulate the sanitary condition of the City

18

This By-Law may be cited for all purposes as the "Victoria Health By-Law, 1869."

#### No. 4.

PHILIP J. HANKIN.

PRESENT.

His Honor the Officer Administering the Government.  
The Hon. the Acting Colonial Secretary,  
The Hon. the Attorney General,  
The Hon. the Chief Commissioner of Lands and Works,  
The Hon. the Collector of Customs,  
The Hon. the Magistrate from New Westminster.

**WHEREAS** it is expedient to amend the Health By-Law passed by order in Council of the 17th day of May, 1869.

It is therefore ordered by His Honor the Officer Administering the Government of British Columbia by and with the advice and consent of the Executive Council that in lieu of the words "Stipendiary Magistrate" in clause 9 of the Health By-Law, passed by Order in Council of the 8th of May, 1869, the words "any Justice of the Peace" be inserted, and that such By-Law be read and construed accordingly, and that the following words be added at the end of clause 9: "All fees and fines received hereunder or under the "Health Ordinance, 1860," shall be deemed paid and accounted for as part of the Public Revenue of the Colony.

#### No. 5.

CONFIRMED, J. W. CRUTCH, 31st MAY, 1872.

ANNO TRICESIMO QUINTO.

VICTORIÆ REGINÆ.

*Victoria Municipal Land By-Law, 1872.*

**WE**, the Mayor and Municipal Councillors of the City of Victoria, in the Province of British Columbia, in the Dominion of Canada in Council convened, by virtue of the power and authority vested in us by an Act of Incorporation entitled "The Victoria Municipal Ordinance, 1867," and "The Victoria Municipal Amendment Ordinance, 1869," for the purpose of enabling the Municipal

Council aforesaid to pass a By-Law authorizing the Corporation of the City of Victoria to purchase and hold lands for Municipal purposes do hereby enact, and

Be it enacted, that from and after the passage of this By-Law the Municipal Council aforesaid shall purchase and hold such Real Estate within the limits of the City aforesaid as may be requisite for the purposes of the said Corporation, and may erect such Buildings on the Real Estate so purchased as may be necessary.

The conveyance of any such Real Estate shall be made to the Corporation of the City of Victoria aforesaid.

This By-Law may be cited for all purposes as the "The Victoria Municipal Land By-Law, 1872.

Passed the Municipal Council this fifteenth day of May, A. D. 1872.

WILLIAM LEIGH,  
Clerk to the Municipal Council.

RICHARD LEWIS, Mayor.

## No. 6.

### *By-Law for Regulating the Meetings and the General Conduct of Business of the Municipal Council of the City of Victoria, B. C.*

#### MEETING OF COUNCIL.

1. That all meetings, other than special or adjourned, shall be held on Wednesday in each and every week, unless otherwise ordered by the Council, and the Chair shall be taken at half-past seven o'clock, P. M., when no other hour is specially named in the summons calling the meeting; and all acts to be done by this Council, and all questions of adjournment and others, may save where otherwise expressed, be done and decided by the majority of the members who shall be present. The whole number of members at such meetings not being less than four.

#### DUTIES AND PRIVILEGES OF THE MAYOR OR PRESIDING OFFICER.

2. To open the meeting at the stated time by taking the chair, and calling the members to order; he shall preserve order, and endeavor to conduct all business before the Council to a speedy and proper result; and in the absence of the Mayor, such Municipal Councillor as the members of the Municipal Council then assembled shall choose to be the chairman of that meeting; shall have a casting vote in all cases of equality of votes, but not otherwise, and have and exercise all the powers of the Mayor as though he (the Mayor) were present at such meeting.

3. He shall state every question properly presented to the Council, and, before putting it to vote, shall ask, "Is the Council ready for the question?" Should no member offer to speak, he shall put it, after which no member shall be permitted to speak upon it.

4. He may speak to points of order in preference to other members of the Council, and shall decide questions of order, subject to

an appeal to the Council by any two members ; which appeal shall always be put in writing. On such an appeal no member shall speak more than once.

5. It shall be the duty of the Presiding Officer, and the privilege of any member of the Council, to call a member to order who violates an established "Rule of Order."

#### ADMISSION OF THE PUBLIC.

6. That the public be permitted to attend in that part of the Council Chambers provided for their accommodation ; and may report and publish its proceedings, except in case of any special meeting, when the Council consider the public interest would be better served by their proceedings being conducted in private.

#### NOTICES OF BUSINESS.

7. Previous to the introduction of any business at any meeting of the Municipal Council, a notice in writing of any business proposed to be brought forward by any members, shall be publicly exhibited for twenty-four hours previously to such meeting in some public place to be agreed upon by the Municipal Council, and all notices of business, signed by the Mayor or any member of the Council, shall be handed to the Clerk, at or previous to, any meeting of the Council, who shall read the same at such meeting and place them on file.

#### ORDER OF NOTICES.

8. That the Clerk, on filing notices, shall place, first, those which are in the Mayor's name, and afterwards, all others, standing in the order in which they have been delivered to him ; who shall number and date them as received. He shall also publicly exhibit all notices, as the Act of Incorporation directs.

#### ORDER OF PROCEEDINGS.

9. That at all meetings of the Council, the Clerk shall read, first, the minutes of the previous Council meeting ; the said minutes to be approved or amended and adopted. That he shall then state what communications have been received since the last meeting, relating to the business of the Council, and read such of them as the Mayor, or any two members of the Council, desire to have read.

10. That after the minutes of the previous meeting and communications have been read, the business, of which due notice has been given, shall be taken up, in the order in which it stands on file ; after which reports of committees shall be acted upon, in the order in which they have been received. Deferred business shall take precedence of reports of committees.

#### MODE OF VOTING.

11. That the Council vote on all questions by show of hands, except that on demand of any member, the Clerk shall call the roll, and record the yeas and nays. After the roll is called, the result shall be read aloud, to rectify mistakes, if any ; after which the Clerk shall hand the vote to the Mayor, or Presiding Officer, (as the case may be), who shall announce the same ; providing always that an election for any officer shall be by ballot, and a majority of all votes cast shall be necessary to elect.

## MOTIONS TO BE MOVED AND SECONDED.

12. That no motion or amendment be entertained by the Council but such as has been moved and seconded, and delivered to the Clerk in writing, and signed by the mover. That no motion so received be withdrawn unless by consent of the Council.

## AMENDMENTS.

13. That when an amendment is moved upon a motion no further amendments be moved or taken into consideration until the first be disposed of; but any number of amendments may be brought forward in succession; and the question must be put in such a manner, that if one amendment be negatived another may be moved upon the original motion. But if an amendment be affirmed, it shall then form the motion under consideration, whereon further amendment may be moved; and if after the disposal of an amendment no second or further amendment be moved, the question must ultimately be put upon the original or amended motion (as the case may be) in order to its being passed as a resolution. No member shall move more than one amendment to the same motion.

## ORDER OF SPEAKING.

14. That members of Council shall not speak more than once to the same question, except in explanation, or the mover of the motion, in reply; which reply shall conclude the discussion.

## SPEAKING ON AMENDMENTS.

15. That an amendment being moved, no member of the Council who has spoken to the original motion, speak again (except in explanation, or the mover thereof in reply) until the amendment has been put, and become the amended motion before the Council. Councillors may speak on each re-amendment.

16. That when discussion arises upon amended motions, the mover of the amendment which has displaced the original motion may speak in reply; and so on in like manner in respect to any further and displacing amendments.

## COMMITTEE OF THE WHOLE.

17. That the Council may, by a vote, resolve itself into a Committee of the Whole, and while in Committee there shall be no restriction as to the number of times a member of the Council may speak to the question.

## MOTIONS TAKEN UP BY THE MOVER.

18. The business under any notice upon file shall not be proceeded with in the absence of the member in whose name it stands, unless he has given authority in writing that it should be taken up by some other member of the Council.

## PROTESTED.

19. That no protest or expression of dissent be entered upon the Minutes of the Council.

## TITLE OF MEMBERS.

20. That the members of the Council shall stand when speaking, and shall speak of each other in the Council, during the transaction of Business, by the title of Councillor.

## DECORUM.

21. That no member of the Council shall use any improper or personal language toward any other member, or reflect upon any of the prior determinations of the Council. Any breach of decorum shall be considered a violation of the rules of order—to be punished as the Chairman may direct.

22. When two or more members rise to speak at the same time, the Presiding Officer shall decide who is entitled to the floor.

## ADJOURNMENT.

23. A motion to adjourn shall always be in order, except, 1st. when a member is in possession of the floor; 2nd., while a vote is being taken; 3rd., when adjournment was the last preceding motion; 4th., when it has been decided that the previous question shall be taken.

## COMMITTEES.

24. The Municipal Council may, out of their own body, from time to time, appoint such and so many Committees, and consisting of such members as they may think fit, for any purposes which in the discretion of the Municipal Council would be better regulated and managed by means of such Committees, but all proceedings of such Committees shall be subject to the approval of the Municipal Council, and the Mayor shall be ex-officio a member of all Committees.

25. In case the Mayor shall refuse or neglect to call a meeting within twenty-four hours after a requisition for that purpose, signed by three members of the Municipal Council, shall have been presented to him, it shall have be lawful for the said three members to call a meeting of the Municipal Council by giving such notice as is hereinafter declared in that behalf, such notice to be signed by the said three members, instead of the Mayor, and stating therein the business proposed to be transacted at such meeting, and in every case a summons to attend the Municipal Council, specifying the business proposed to be transacted at such meeting, signed by the Mayor, (or the said three members, as the case may be), shall be left at the usual places of abode of every member of the Municipal Council, or at the premises in respect of which he is placed on the Municipal Assessment Roll, one clear day at least before such meeting, and no business shall be transacted at such meeting other than the business which is specified in the notice.

## QUORUM.

26. That in all cases, when not otherwise specially provided, two members shall form a quorum of any committee appointed by the Council, the first Councillor named on any Committee be Chairman.

## REPORTS OF COMMITTEES.

27. All reports of Committees shall be in writing. A Committee may be authorised to take up all matters referred by the Council to a preceding Committee who have not been fully discharged.

## OPINION OF COUNSEL.

28. That no opinion of counsel be taken at the expense of the Corporation, without a resolution of the Council.



## TO AMEND RULES OF ORDER, &amp;C.

29. That no Rule of Order, or By-Law shall be altered or amended, until notice has been given in writing, one week previous; the said notice shall express the alteration or amendment contemplated, and shall be handed to the Clerk, who shall read it to the Council; such alteration or amendment shall not be acted upon, unless affirmed by a vote of the Council.

This By-Law may be cited for all purposes as "The By-Law for regulating the meetings and the general conduct of business of the Municipal Council of the City of Victoria, B. C."

Passed the Municipal Council this 12th day of March, A. D., 1873.

JAS. D. ROBINSON, Mayor.

WM. LEIGH,

Clerk to the Municipal Council, Victoria, B. C.

## No. 7.

*By-Law authorizing the Construction of Water Works for the City of Victoria, B. C.*

Preamble.

WHEREAS, by the "Corporation of Victoria Water Works Act, 1873," it is provided that the said Act should not have any force or effect until the Municipal Council of the City of Victoria should pass a By-Law authorizing the construction of the said water works, which by-Law they were thereby empowered to pass.

Construction of Water Works

And, whereas, in order to construct the Water Works in the said Act mentioned, it is expedient that the said Act shall come into full force and effect forthwith; and further in order to carry into effect the said proposed construction, it will be necessary for the said Municipal Council and their successors to issue debentures of the said Corporation for a sum of money not exceeding (\$100,000) One Hundred Thousand Dollars of lawful money of British Columbia for such sums, and in the manner, and payable at the times and for the purposes in the said Act mentioned or referred to.

Powers to raise money by special rate for payment of debentures and interest.

And, whereas, by the said Act it is required that monies should be raised by the said Council, and their successors, annually by special rate to be settled, imposed and levied in each year for payment of the said Debentures and interest as in the said Act is more particularly mentioned or referred to.

Annual Rate to be settled, imposed and levied in each and every year for paying the interest and creating a sinking fund for paying the debentures

And, whereas, for payment of the interest and creating a sinking fund for paying the said Debentures as in the said Act is mentioned or referred to it will require an annual rate to be settled, imposed and levied in each and every year as in the said Act is more particularly referred to in addition to other rates to be levied in each year but subject always to the said Act.

Be it therefore enacted by the Municipal Council of the City of Victoria as follows:—

Power to issue debentures to be called Water works debentures not exceeding \$100,000.

For the purpose of constructing the said Water Works and other purposes in the said Act mentioned or referred to, it shall be lawful for the Corporation of the City of Victoria to issue Deben-

tures of the said Corporation of the City of Victoria to be called Water Works Debentures for a sum of money not exceeding One Hundred-Thousand Dollars (\$100,000) of lawful money of British Columbia in such sums not less than (\$50) Fifty Dollars, as shall to the Corporation seem expedient. And such Debentures shall be made payable in manner and at the times in the said Act mentioned, and shall bear interest at the rate, and such interest shall be payable as therein mentioned, and such Debentures shall be signed by the Mayor and Clerk of the said City for the time being (and be sealed with the Seal of the Corporation and may be payable either in Sterling or Currency in the manner and otherwise as in the said Act is mentioned. And shall have attached to them coupons for the payment of interest. And the Council of the Corporation of the City of Victoria and their successors, shall for the purpose of providing a sinking fund for the payment of the said Debentures, as aforesaid, and the interest on the same semi-annually, raise annually such sum as may be necessary to pay the interest upon and provide a sinking fund to meet the whole of such Debentures in full, as the same shall become due respectively, and shall order a rate for that purpose on all real estate and improvements thereon, to be settled, imposed and levied in each and every year to pay the principal and interest on such Debentures subject to and as in the Corporation of Victoria Water Works Acts, 1873, and otherwise is provided. And the said Water Works shall in all respects be constructed, and after completion, managed and payments therefor shall be made and monies received therefrom applied, and all matters and things whatsoever having relation to the premises, respectively or otherwise, referred to in the said Act, shall be carried out as in the said Act is described or referred to that this By-Law shall take effect and come into operation upon the twentieth day of March, One thousand eight hundred and seventy-three.

This By-Law may be cited for all purposes as The By-Law a 1th-Short Title  
 orizing the construction of Water Works for the City of Victoria,  
 B. C., 1873.

Passed the Municipal Council this twentieth day of March,  
 1873.

JAS. D. ROBINSON, Mayor.

WM. LEIGH,  
 Clerk to the Municipal Council.

## No. 8.

*By-Law to regulate the Duties of the Assessor and Collector.*

[7th May, 1873.]

WHEREAS it is expedient to define the duties of the Assessor Preamble.  
 and the Collector of the City of Victoria,  
 Be it enacted by the Municipal Council of the City of Victoria:—

### ASSESSOR.

The duties of the Assessor shall be as follows :

1. He shall prepare an assessment roll, giving the value of all Assessor to prepare as-  
essment roll of al real  
estate.  
 real estate and improvements within the city limits, and specifying

the number of the lot, or portion of lot, according to the Official Map, size of the same, together with the name of the owner or owners, and to return the said roll to the Clerk of the Municipal Council on a day to be decided by a By-Law to be hereafter passed.

To notify owners, &c.

2. He shall notify all owners, or their known agents, of the increase (if any) made in any assessment upon real estate or upon the improvements thereon, and in case of an appeal against such assessment, he shall appear at the time and place appointed for hearing the same, with such evidence as may be necessary in the cause.

Where no improvements, &c

3. He shall place in a separate column on the said roll all real estate upon which no improvements have been made, and all lots which are not fenced in, or lots which have been fenced in and are not kept in repair, shall be considered unimproved property, and be liable to special tax as such.

Roll of all resident tax payers.

4. He shall prepare a roll of all persons resident in the Municipality, who are taxable therein.

Roll of all resident and non-resident tax payers.

5. It shall be the duty of the Assessor to prepare a roll of all persons carrying on any trade, business or calling in accordance with the Revenue By-Law, levying a rate from persons; also the names of all persons taxable in the Municipality, who are not residing within the Municipality, (all persons residing outside the city limits shall be considered as non-residents.)

Roll to be handed to Collector.

6. He shall within one week after the final revision of the Assessment Roll, by the Council, be prepared to hand his roll so revised, to the Collector, or should the duties of Assessor and Collector be performed by the same person, he shall proceed to collect the rates in accordance with the duties laid down for Collector.

#### COLLECTOR.

The duties of Collector shall be as follows :

Duties of Collector.

7. He shall on receiving the assessment roll from the Assessor proceed without delay to collect the revenue in accordance with the Revenue By-Laws, 1873.

8. He shall on printed forms, to be procured for that purpose, put down the name of every taxable person, together with a statement of all rates due to the Municipal Council by him, giving the numbers of the lot or lots (if real estate) for which he is liable to be taxed, and deliver the same at the known place of business or residence (if within the city) of the owner or his agent (if any.) Said statement shall fix a time, not later than four days from date thereof, within which time the rates must be paid at the Collector's office. Where property is taxed, the owner of which is absent from the Province, and he has no known agents, it shall be the duty of the said Collector to proceed in such case in accordance with the Revenue By-Laws, 1873.

9. He shall give printed receipts for all taxes received, which receipts shall be numbered consecutively, with counterfoil, and said receipts and counterfoils shall contain a statement of amount received for such tax separately, and in case of real estate or improvements, or both, the number of the lot or lots, or portion of lots, on which such tax is collected.

10. He shall keep a cash book, in which he shall enter the name

of every person paying taxes with the amount of each tax separately; together with the number of the receipt issued.

11. He shall pay in daily to the Bank of British North America, (or such other bank as the Municipal Council may from time to time direct), to the credit of the "Corporation of the City of Victoria," all moneys collected, but in the event of daily collections being less in amount than one hundred, he is hereby authorised to withhold deposit until that amount be in his hands, and shall at least one day in each week deliver his cash book to the Clerk of the Municipal Council, to have the amounts properly posted in the books of the Corporation.

12. He shall at each regular meeting of the Council, and whenever required by the Mayor or Finance Committee, exhibit his cash book, together with the bank book for examination and inspection.

13. He shall notify the Clerk of the Municipal Council, of every person who shall fail or refuse to pay his respective rates or taxes, and upon receiving from said Clerk a summons against such defaulter, he shall serve, or cause the same to be served, and attend at the Court, to prove service of said summons and give such evidence as may have reference to the case.

14. For the true and faithful performance of the aforesaid duties he shall furnish "the Corporation of the City of Victoria" and its successors, with a bond of an approved guarantee society to the amount of \$2,000.

15. This By-Law may be cited for all purposes as the "Assessor and Collector By-Law, 1873."

Passed the Municipal Council this 7th day of May, A. D., 1873.

WM. DALBY, Mayor.

WM. LEIGH,

Clerk to the Municipal Council, Victoria, B. C.

## No. 9.

*Municipal Street By Law to regulate the construction, maintenance, and repairs of Streets within the City limits, and to regulate the Public traffic thereon.*

[4th June, 1873.]

WHEREAS it is expedient for the good government of the City of Victoria, B. C., to make provisions for the construction, maintenance and repairs of Streets within the City limits, and the regulation of the public traffic thereon.

Be it therefore enacted by the Municipal Council of the City of Victoria, as follows:

1. No person or persons shall ride or drive through any of the Public Streets of the City of Victoria, at a pace exceeding six miles an hour, under a penalty not exceeding Five Dollars or such imprisonment as the Stipendiary Magistrate may direct. <sup>Penalty for furious riding or driving.</sup>

Street obstructions during the erection, repair or alteration of buildings, &c.

Fences and beacon lights pending such works

Penalty.

Penalty for depositing rubbish in public places.

Obstructing thoroughfare.

Penalty

Penalty for throwing rubbish in a public place to go into a sewer, etc.

Penalty for emptying of offensive matter between the hours of six in the morning and six in the evening.

2. No person or persons engaged or concerned in the erection, repair or alteration of any building, cellar or sewer within the City, shall be at liberty to occupy more than one-third of the width of the street, in front of such building, cellar or sewer, with materials necessary for the erection, repair or alteration of such building, cellar or sewer, unless he or they shall obtain permission from the Mayor and Council, or from the Street Committee of the Council, so to do; and such person or persons shall, if required by the Mayor and Council, or the Street Committee, erect such a fence and place such beacon lights around or near to such building, cellar or sewer, as shall, by the Mayor and Council or the Street Committee aforesaid, be deemed necessary to prevent accidents to person or animals. And any person or persons neglecting or refusing to comply with the provisions of this Section, or of any order made in pursuance thereof, shall, upon conviction, be liable to a fine not exceeding Twenty Dollars.

3. No person shall throw or cause to be thrown or deposit on any of the footpaths, sidewalks, highways, streets, thoroughfares, or any public place within the City limits, any rubbish, filth, ashes, offal, of any kind, or any substance which may be considered a nuisance by the Mayor and Council aforesaid, under a penalty not exceeding Twenty-Five Dollars, or Ten days imprisonment, at discretion of any Justice of the Peace, before whom such offender shall be tried.

4. No person or persons shall interrupt any highway or Public thoroughfare within the City limits, by erecting thereon any fence, building, barricade, or obstruction of any nature or any kind, or break up or disturb the surface of any Public street or highway unless by permission of the Mayor and Council or the Street Committee, on their behalf, and any street or highway so disturbed by the aforesaid permission shall, without delay, be put in as good condition by such person or persons as it was before the surface thereof was broken up or disturbed as aforesaid, and such person or persons shall, within a reasonable time, remove all surplus dirt or rubbish that may have accumulated by reasons of breaking up or disturbing the surface of such public street or highway, and shall also keep such parts of such public street or highway as shall have been broken up or disturbed by him or them, in good repair for the space of three months thereafter. And any person or persons who shall be guilty of a breach of the provisions of this Section may, on conviction thereof, be fined in any sum not exceeding Fifty Dollars.

5. Every person who in any thoroughfare or Public place of the said City, shall throw or lay any dirt, litter, glass, ashes, carrion, fish, offal or rubbish, or throw or cause any such thing to go into any sewer, pipe or drain, or into any well, stream or water-course, or put the same into such a position that it may run into the harbour, or into any pond or reservoir for water, or cause any offensive matter to run from any manufactory, stable, slaughter-house, butcher's shop, or dunghill, or any uncovered place, whether or not surrounded by a fence or wall, shall be liable to a penalty not exceeding Twenty Dollars for each offence.

6. Every person who shall empty, or begin to empty, any privy or water closet within the said City, within the hours of six in the morning and eight in the evening, and who shall move along any thoroughfare any night soil, soap-lees, ammoniacal liquor, or other such offensive matter, between the hours of six in the morning and eight in the evening, or who shall at any time use for such pur-

pose any cart or carriage not having a proper covering, or who shall wilfully or carelessly slop or spill any such offensive matter in the removal thereof, or who shall not carefully sweep or cleanse any such place in which any such offensive matter shall have been placed, spilled or dropped, shall be liable to a penalty not exceeding Twenty Dollars, or not more than Eight Days' imprisonment for each offence.

7. Any person or persons who shall wilfully cut, hack, carve or otherwise deface, or injure or destroy any bridge within the City limits, or who shall ride or drive over any such bridge at a pace faster than a walk, shall be liable to a fine not exceeding Ten Dollars or to imprisonment in the Common Jail for a period not exceeding Four Days for each offence. Penalty for damages to bridges, etc

8. No person or persons, owner or driver shall allow his or their horse or horses to remain standing in or upon any of the streets or public places in this City without having the same securely fastened to a post or block of metal not weighing less than thirty five pounds, or leaving some person in charge of the same, and any infraction of this section shall be punishable by a fine not exceeding Ten Dollars or imprisonment for a term not exceeding Four Days. Penalty for not fastening horses in the streets

9. The Mayor and Council shall have power under this By-Law to grade, gravel, metal, or make any other improvements in any street, alley or thoroughfare, within the City limits, whenever or where it shall be deemed by them expedient. Power to grade or improve streets

10. When any street or portion of a street is graded, gravelled or metalled it shall be lawful for the Mayor and Council, by an order in writing, to order the owner or owners of any lot or lots abutting on such street, or the agent or agents of such owner or owners, to complete, at the expense of such owner or owners, the grading, gravelling or metalling of that portion of the street abutting upon his or their lot or lots, the grading, gravelling or metalling of which shall not have been completed by the Mayor and Council. And in the event of any such person or persons neglecting or refusing to comply with any such order for the space of One day, or such other period as may be specified in such notice, the said Mayor and Council shall be at liberty to cause to be graded, gravelled or metalled the portion of such street so ordered to be graded, gravelled or metalled by the owner or owners of the lot or lots abutting thereon; and the expense, costs and charges thereof, shall be recoverable at law from such owner or owners; and if such expenses, costs and charges be not paid by such owner or owners or his or their agent or agents, within seven days after notice in writing, of the amount thereof; or of any judgment recovered in respect of such expenses, costs and charges, shall not be paid at once, the amount of such expenses, costs and charges of such judgment may be registered as a claim against the lot or lots abutting upon such street, the owner or owners of which shall have been ordered and failed as aforesaid to grade, gravel or metal the said street or some portion thereof. Mayor and Council may order owners to grade, gravel or metal street abutting on their lots.

11. If the owners of two-thirds in value of lots in or abutting on any street or any portion thereof, in the City of Victoria, shall sign a requisition calling upon the Municipal Council to grade, macadamise, pave, fence, drain, water, light, sweep, lay down side-walks, or otherwise improve the said street or portion thereof, or if the occupiers of two-thirds of the lots abutting on any street or portion of any street, shall sign a requisition calling upon the On non-compliance, Mayor and Council may per form work at owners expense. Owners of two-thirds in value of Lots abutting on a street to bind the remaining one-third.

Repealed by Act, No. 8,  
1877.

Municipal Council to light, water, sweep or lay down side-walks in any such street or portion of such street, (as the case may be), the said Municipal Council shall be empowered, after giving in such manner as they alone shall deem expedient, not less than seven day's notice of such intention to each of the owners or occupiers (as the case may be) of the remaining one-third as shall not have signed the requisition, to levy, assess, and collect, a rate (not to exceed the amount to be estimated and mentioned in that behalf in such requisition) upon the owners or occupiers (as the case may be) of the lots in and abutting on such street or portion of street, in order to carry out such improvements, and may apply the rate when collected according to the prayer of such requisition, the Municipal Council approving such requisition, in such manner as they may appoint by By-Law.

Penalty for discharging  
fire-works and carrying  
deadly weapons

12. No person shall wantonly fire or set off or discharge any guns, pistols, cannons, squibs, crackers, or fireworks of any kind or description, nor shall wear or carry on the person any loaded fire-arms or dangerous weapons about the person within the City limits under a penalty not exceeding Twenty-Five Dollars for each offence.

Recovery of penalties.

13. Any person or persons failing to comply with any Provision of this By-Law, or any part thereof, shall be subject to the penalties herein stated, and such penalties shall be recoverable summarily before any Justice of the Peace having Jurisdiction within the limits of the said City, or other persons specially mentioned in this By-Law.

Short title

This By-Law may be cited for all purposes as "The Victoria Street By-Law, 1873."

Passed the Municipal Council this 4th day of June, 1873.

WILLIAM DALBY, Mayor.

WM. LEIGH, Clerk to the Municipal Council.

## No. 10.

ANNO TRICESIMO SEPTIMO.

*Municipal By-Law to regulate the duties of the Water Commissioner.*

[June 28th, 1873.]

Preamble.

**W**HEREAS it is expedient to regulate and define the duties of the Commissioner appointed under "The Corporation of Victoria Water-works Act, 1873;"

Be it therefore enacted by the Mayor and Council of the Corporation of the City of Victoria as follows:

Duties of Commissioner.

1. The said Commissioner shall, subject to the approval and control of the Mayor and Council aforesaid, design, construct,

build, purchase, improve, hold and generally maintain, manage and conduct Water Works and all buildings, matters, machinery and appliances therewith connected or necessary thereto, for the purpose of conducting a sufficient quantity of pure and wholesome water from Elk Lake and Beaver Lake to the adjacent City of Victoria for the use of the inhabitants thereof, and shall examine, consider and decide upon all matters relative thereto.

2. The said Commissioner shall keep separate books and accounts of the receipts and disbursements for or on account of the construction of the said Water Works distinct from the books and accounts relating to the other property, funds, or assets belonging to the said Water Works, and a record of all his official acts; and all such books and records shall be open to the inspection and examination of the Mayor and Council, or any of them, or any person or persons appointed by them for that purpose.

Commissioner shall keep a record, subject to the inspection of the Mayor and Council.

3. The said Commissioner shall, at least twice in each month during the construction of the said Water Works, attend the Mayor and Council in Committee, and report to them in writing the progress of such Water Works and such information respecting the same as they may require.

Commissioner shall present a semi-monthly report.

4. The said Commissioner shall, on or before the 31st day of December in each year, cause a return to be made to the Mayor and Council of the affairs of the said Water Works, showing a statement of the amounts of the rents, issues and profits arising from the said Water Works, the number of tenants supplied with water, the extent and value of the movable and unmovable property thereunto belonging, the amount of debentures then issued and remaining unredeemed and uncanceled, and the interest paid thereon or yet due and unpaid, and the state of the sinking fund, the expenses of collection and management, and all other contingencies, salaries of officers and servants, the cost of repairs, improvements and alterations, the prices paid for the acquisition of any real estate that may be required for the use of the said Water Works, and generally such a statement of the revenue and expenditure of the said Water Works as will at all times afford complete knowledge of the state of the affairs of the said Water Works.

Annual Report to be presented of rents, profits, tenants, etc., to the Corporation

Of Debentures.

Of Expenses.

Of general state.

5. The said Commissioner shall give security in bonds to the amount of two thousand dollars, to be approved by the Mayor and Council, for the faithful performance of his duties.

Security by Commissioner

6. The said Commissioner shall, whilst he shall continue to be employed and during the construction of the said Water Works, receive as remuneration a salary at the rate of Eighteen Hundred Dollars per annum, payable by equal monthly instalments.

Remuneration to Commissioner By-Law, No. 22.

7. The duties of the said Commissioner shall, subject to this By-Law, be such as are further defined in "The Corporation of Victoria Water Works Act, 1873."

Further duties of Commissioner.

8. This By-Law may be cited for all purposes as "The By-Law Defining the Duties of the Water Commissioner, 1873."

By-Law Short Title.

Passed the Municipal Council this 28th day of June, 1873.

WM. DALBY, Mayor.

WM. LEIGH,

Clerk to the Municipal Council, Victoria, B. C.



## No. 11.

ANNO TRIGESIMO SEPTIMO.

*Municipal By-Law respecting the Duties and Compensation of the City Surveyor and Engineer of the Water Works.*

## Preamble.

Be it enacted by the Mayor and Council of the Corporation of the City of Victoria, as follows:

## Powers of City Surveyor.

1. The City Surveyor shall execute all surveys and prepare all plans and specifications of the works from time to time, required by the Mayor and Council of the said City, and superintend, direct and inspect all such works subject to the approval and control of the said Mayor and Council.

## Keep a record of surveys and plans.

2. The City Surveyor shall also carefully compile and prepare from time to time a record of all surveys and plans so executed and prepared by him, for the use of the Mayor and Council; and all such records, surveys, and plans, and the field notes relating thereto shall be the property of the Corporation.

## Powers of the Engineer.

3. The Engineer of the Water Works shall execute all surveys, and prepare all plans and specifications of works required in the construction, maintenance or improvement of the Water Works, and superintend, direct and inspect all such works subject to the instructions of the Water Commissioner.

## Engineer shall examine and report to the Commissioner the state of the works

4. The Engineer of the Water Works shall also whenever required by the Water Commissioner examine all or any of the Water Works already constructed and report to him the condition thereof and any improvements, repairs, or alterations that may seem necessary or expedient.

## Surveys, plans, etc., the property of the Corporation

5. All surveys, plans, and reports prepared by the Engineer of the Water Works as aforesaid, and the field notes relating thereto shall be the property of the Corporation.

## Remuneration to Surveyor or add Engineer. Amended by By-Law, No 26.

6. The compensation or salary of the City Surveyor and Engineer of the Water Works together for the performance of the duties hereinbefore specified is hereby fixed at the sum of One Hundred and Fifty Dollars per month.

## Short Title.

7. This By-Law may be cited for all purposes as "The City Surveyor and Water Works Engineer By-Law, 1873."

Passed the Municipal Council on the 9th day of July, A. D., 1873.

WM. DALBY, Mayor.

WM. LEIGH,

Clerk to the Municipal Council, B. C.

## No. 12.

ANNO TRIGESIMO SEPTIMO.

*Municipal By Law to define the duties and fix the remuneration of the Clerk of the Municipal Council, and Clerk of the Police Court.*

Be it enacted by the Mayor and Council of the Corporation of the City of Victoria as follows:

1. It shall be the duty of the Clerk of the Municipal Council of this Corporation: Duties of the Municipal Clerk defined.

- (a) To convene all special meetings of the Municipal Council: To convene special meetings.
- (b) To attend all meetings of the Municipal Council, whether regular or special, and to take and enter proper minutes of the proceedings of all such meetings, and prepare and draw up in proper form all resolutions proposed or suggested at any such meeting: To attend and take minutes of such.
- (c) To give the necessary and proper notices to the Councillors of all meetings of the Municipal Council except regular adjourned meetings, and to state in such notices the subject matter of the business for which the meeting is called: To notify Councillors of such meetings and their object.
- (d) To conduct all the correspondence of the Municipal Council subject to the control and direction of the Mayor and Council: To act as correspondent.
- (e) To prepare and complete all such agreements and contracts between the Corporation and any person or persons, body or bodies corporate, as may from time to time be required, and all bonds and securities to be required by any officer or contractor with the Corporation: To prepare all documents etc.
- (f) To prosecute or defend, under the direction of the Mayor and Council, all actions, suits and proceedings by or against the Corporation or in any manner affecting the property or rights of the Corporation: To conduct all legal proceedings in the direction of the Mayor & Council.
- (g) To keep proper books of accounts and records of the transactions, receipts, payments, and property of the Corporation in such manner and form as shall from time to time be required by the Finance Committee of the Municipal Council: To keep accounts of all business transactions.
- (h) To do and perform all such other acts and duties as are imposed upon him by any of the acts, ordinances or by-laws now in force or which may properly be included in or relate to the duties of the Clerk of the Municipal Council of the Corporation: To conform to duties imposed by other by-laws.
- (i) To give and execute to the Corporation forthwith, and from time to time, such security by way of bond or bonds for the true and faithful performance of his duties as herein defined as shall be required and approved by the Mayor and Council: Security by him.

2. The remuneration of such Clerk of the Municipal Council for the true and faithful performance of the duties hereinbefore defined shall be at the rate of \$1,080 per annum. Remuneration to Clerk.

## DUTIES OF THE CLERK OF THE POLICE COURT.

3. It shall be the duty of the Clerk of the Police Court for the City of Victoria: Duties of Clerk of the Police Court.

- (a) To take down and enter in the Charge Book all charges preferred and being or reasonably supposed to be within the jur- General duties.

To attend the P M , at-  
test depositions, etc.

To receive fines and fees.

When fees amount to  
\$100 to be handed over to  
the Collector

Sundry duties.

Security by him

Remuneration to Clerk.

Sh rt Title.

isdiction of the Police Magistrate for the said City, and also to write out and issue all informations, summonses, warrants and other process required to be written out and issued from the said Police Court.

(b) To attend the Police Magistrate of the said City at the Police Court whenever required and take down and properly attest the depositions and evidence that may be given in each case coming before such Police Magistrate, and make out, enter, and record all remands, convictions, commitments and orders of such Police Magistrate:

(c) To receive all fines imposed by such Police Magistrate and all fees payable upon any process or proceedings issued or taken under his authority, and keep an account thereof in a cash book to be kept for that purpose, and to pay over all such fines and fees to the Collector of the said Corporation when and so often as the sums so received shall amount to \$100, and to take the receipt of the said Collector for the same.

(d) To do and perform all such other acts and duties belonging to the office of the Clerk of the Police Court for the said City and reasonably required by the said Police Magistrate, and in the performance of all or any of the duties hereinbefore defined, to act under the instructions of such Police Magistrate.

(e) To give and execute to the Corporation forthwith, and from time to time such security by way of bond or bonds for the faithful performance of his duties as herein defined as shall be required and approved by the Mayor and Council.

4. The remuneration of the Clerk of the Police Court for the said City for the performance of his duties as herein defined, shall be at the rate of \$480 per annum.

5. This By-Law may be cited for all purposes as "The City Clerk and Police Court Clerk By-Law, 1873."

Passed the Municipal Council on the 16th day of July, A. D. 1873.

WILLIAM DALBY, Mayor.

WM. LEIGH, Clerk to the Municipal Council, B. C.

### No. 13.

ANNO TRICESIMO SEPTIMO.

## THE CORPORATION OF THE CITY OF VICTORIA.

### *By Law for raising a Municipal Revenue.*

[20th August, 1873.]

Be it enacted by the Mayor and Council of the Corporation of Victoria, as follows:—

Tax of one pe cent. on  
real estate within origi-  
nal city limits.

1. There shall be raised levied and collected upon and from all owners of real estate, (including improvements thereon), within the limits of the Municipality, as defined by the Letters Patent issued by the Lieutenant-Governor in Council, on the twenty-fifth day of January, in the year of our Lord one thousand eight hun-

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dred and seventy-three, except real estate exempt from taxation under "The Municipality Act, 1872," a tax for the period of ten months ending on the thirty-first day of December, in the year of our Lord one thousand eight hundred and seventy-three, at the rate of one per centum on the assessed value of such real estate.

2. There shall be raised, levied and collected upon and from all owners of real estate, (including improvements thereon), outside the limits aforesaid, but within the extended limits of this Municipality, as defined by the Letters Patent issued by the Lieutenant-Governor in Council, on the ninth day of May, in the year of our Lord one thousand eight hundred and seventy-three, except real estate exempt from taxation under "The Municipality Act, 1872," a tax for the period of six months, ending on the thirty-first day of December, 1873, at the rate of one-half of one per centum on the assessed value of such real estate.

Tax of  $\frac{1}{2}$  per cent on real estate within extended city limits

3. The aforesaid taxes shall be due and payable to the Collector of the Municipal Council at his office in the City Council Chambers, Broad Street, Victoria, on the first day of September, 1873.

Taxes due 1st Sept 1873.

4. The assessment roll of the Municipality for the time being may be inspected by any person at all reasonable times free of charge.

Inspection of Assessment Roll

5. Any notice required to be served on any person in respect of any tax under this By-Law may be served either personally or by leaving the same at the usual or last known place of abode or business of such person, or by depositing the same in the Post Office at Victoria, addressed to such person, at his or her usual or last known place of abode or business, or in case such person is unknown or cannot be found, by affixing a copy of such notice to some conspicuous part of the property in respect of which such tax shall be payable.

Service of notices.

6. The person who shall appear on the Assessment Roll of the Municipality for the time being as the owner of any real estate, shall, for the purpose of this By-Law, be deemed to be such owner, and in case the name of the owner of any real estate assessed in such roll shall not appear therein and shall not be known, such real estate and the owner thereof shall nevertheless be subject and liable to the provisions of this By-Law.

Definition of owner.

7. In case any tax or sum of money payable under this By-Law shall remain unpaid for one calendar month after the same shall have become due and payable, interest thereon at the rate of twelve per cent. per annum shall thenceforth be added thereto and be due and payable as part of such tax.

Interest on unpaid taxes.

8. In case any tax or sum of money payable under this By-Law shall remain unpaid for one year after the same shall have become due and payable, the amount of such tax or sum of money, and the interest thereon as aforesaid, and the costs of registration, shall at any time thereafter on the application in writing of the Clerk of the Municipal Council, be registered in the Land Office in Victoria as a charge against the real estate in respect of which such tax became due and payable, and the amount of such charge shall thenceforth bear interest at the rate of eighteen per cent per annum.

Registration of charge in respect of unpaid taxes.

9. In case the amount of any such charge and interest shall not be paid and satisfied within three years after the date of the registration thereof, as aforesaid, the Mayor and Council may, after

Power to sell real estate for unpaid taxes.

notice once a month in three successive months in some newspaper published in the City of Victoria aforesaid, cause the real estate subject to such charge to be sold by public auction.

Power to convey.

10. After such sale the Mayor for the time being of the said Corporation may, and he is hereby empowered to convey and assure the real estate so sold to the purchaser or purchasers thereof in fee simple free from incumbrances.

Application of proceeds of sale.

11. The proceeds of such sale shall be held by the Mayor and Council for the owner of the land sold after payment thereof of the expenses attending such sale, and of the tax charge and interest then due in respect of such land.

Rules for constituting By-Law.

12. In the construction of this By-Law words importing the singular number, or the masculine gender only, shall be understood to include several matters as well as one matter, and several persons as well as one person, and bodies corporate as well as individuals, and females as well as males, and words importing the plural number shall be understood to apply to one matter as well as more than one, unless such meaning shall be repugnant to or inconsistent with the context.

Short title

13. This By-Law may be cited for all purposes as the "City of Victoria Municipal Property By-Law, 1873."

Passed the Municipal Council the 20th day of August, A.D. 1873.

WM. LEIGH, WM. DALEY, Mayor.  
Clerk to the Municipal Council.  
VICTORIA, B. C., August 20th, 1873.

## No. 14.

ANNO TRICESIMO SEPTIMO.

A. D. 1873.

### THE CORPORATION OF THE CITY OF VICTORIA.

#### *By-Law for regulating Vehicles kept for Hire and Gain.*

Preamble.

WHEREAS it is expedient to regulate vehicles kept for hire and gain in the City of Victoria, so as to prevent them from encumbering the streets,

Be it therefore enacted by the Mayor and Council of the Corporation of the City of Victoria as follows:

Lawful stands for buggies, carriages, etc.

1. That the following described places shall be the only stands on which it shall be lawful to place for hire buggies, carriages, coaches, cabs or such like vehicles, namely:—

Along the centre of Yates Street from Government Street westward, along the west side of Broad Street from Yates Street southward, and Bastion Square; the vehicles to be in single line.

Lawful stands for express waggons, carts, etc.

2. That the following described places shall be the only stands on which it shall be lawful to place for hire express waggons, carts, or such like vehicles, namely:—

Along the centre of Government Street from Yates Street northward, and along the south side of Fort Street from Government Street westward, and that such vehicles be in single line.

3. That no person having charge of any buggy, carriage, coach, cab, cart, waggon, or other vehicle kept for gain, as aforesaid, shall wantonly snap or flourish his whip, nor at any time needlessly leave such buggy, coach, carriage, cab, cart, wagon or other vehicle, nor shall he make use of any obscene or impertinent language of any kind whatsoever, while in charge thereof. Rule of Conduct on the street

4. That no driver, carter, or cabman, or other person, shall unreasonably or cruelly beat, or otherwise ill-use any horse or animal under his care within the said City. To prevent cruelty.

5. That any person guilty of any infraction of any of the provisions of this By-Law, shall, on conviction before the Police Magistrate, or other Justice of the Peace, for the said City, forfeit, at the discretion of the Police Magistrate or Justice of the Peace convicting, a sum of money not exceeding \$25 00 for each offence, and in default of payment of any such fine, together with costs of prosecution, it shall be lawful for the Police Magistrate or other Justice of the Peace convicting as aforesaid, to issue his or their warrant to levy the amount of fine and costs by distress and sale of the offenders goods and chattles, and in case no sufficient distress to satisfy the amount of fine and costs shall be found, it shall be lawful for the Police Magistrate or Justice of the Peace as aforesaid to commit the offender to the Common Gaol for any period not exceeding one month. Penalty for infringement of By-Law.

6. This By-Law may be cited for all purposes as "The Vehicles Regulation By-Law 1873." Short Title

Passed the Municipal Council this 10th day of September, 1873.

WM. DALBY, Mayor.

WM. LEIGH,  
Clerk to the Municipal Council, B. C.

## No. 15.

ANNO TRIGESIMO SEPTIMO.

### THE CORPORATION OF THE CITY OF VICTORIA.

*By-Law to regulate the Wharves within the City and the Traffic therewith.*

[February 4th, 1874.]

Be it enacted by the Mayor and Council of the Corporation of the City of Victoria, as follows:

1. Every owner, occupier, manager, or person having or exercising the control of any wharf within the City, shall at all times keep such wharf and the approaches thereto, in good and sufficient repair, order and management, and shall keep the same well and sufficiently lighted, and shall provide and at all times have ready for use on such wharf, such and so many life buoys and gang-planks as the said Mayor and Council, or any officer acting under their authority, shall from time to time require.

2. Any person, or persons, failing to comply with any provision or any part thereof of this By-Law, shall be punished in a summary way by a fine not exceeding Fifty Dollars, or by imprisonment not exceeding one month, at the discretion of any Police

Magistrate or Justice of the Peace having jurisdiction within the Municipality.

3. This By-Law may be cited for all purposes as "The Wharves Regulation By-Law, 1874."

Passed the Municipal Council on the 4th day of February, 1874.

WM. DALBY, Mayor.

WM. LEIGH, Clerk to the Municipal Council, B. C.

## No. 16.

ANNO TRIGESIMO SEPTIMO.

### THE CORPORATION OF THE CITY OF VICTORIA

*Municipal By-Law to regulate the Scale of Costs payable or to be taken in Cases of Distress under "The Municipality Act Amendment Act, 1873."*

[18th March, 1874.]

Be it enacted by the Mayor and Council of the Corporation of the City of Victoria, B. C., as follows:—

In all cases of Distress for Taxes under the above mentioned Act, the costs shall be regulated, payable and taken according to the following scales:

- (a) Where the sum due shall not exceed \$100.  
 Warrant .....\$2 50  
 Man in possession, per day ..... 2 50
- (b) Where the sum due shall exceed \$100.  
 Warrant .....\$4 00  
 Man in possession, per day ..... 2 50

This By-Law may be cited for all purposes as "The Distress Regulation By-Law, 1874."

Passed the Municipal Council on the 18th day of March, A. D. 1874.

WM. DALBY, Mayor.

WM. LEIGH,  
 Clerk to the Municipal Council, Victoria, B. C.

## No. 17.

### THE CORPORATION OF THE CITY OF VICTORIA.

*A By-Law to regulate the Storage, Carriage and Disposal of Gun powder and other Combustible Matter.*

Be it enacted by the Mayor and Council of the Corporation of the City of Victoria as follows:

1. No person or persons shall have or convey at any one time within the limits of the said City in any waggon, cart, dray, or other carriage or vehicle, or keep in any house, store, building or

curtilage to a building within the limits aforesaid more than Fifty pounds in weight of gun-powder, gun-cotton, giant-powder, nitro-glycerine, or other explosive matter of a similar nature.

2. Every person committing a breach of the regulations herein contained, or any part thereof, shall be liable on conviction thereof in a summary manner before any Police Magistrate, Stipendiary Magistrate or Justice of the Peace having jurisdiction within the limits aforesaid, to a fine not exceeding \$25 and costs.

Passed the Municipal Council this 22nd day of July, 1874.

(Signed) WM. DALBY, Mayor.



Corporate Seal attached this 22nd day of July, 1874.

(Signed) WM. LEIGH, C. M. C.

### No. 18.

ANNO TRIGESIMO SEPTIMO.

#### THE CORPORATION OF THE CITY OF VICTORIA.

WHEREAS it is expedient to purchase certain lands within the Limits of the City of Victoria as a site for a Municipal Hall, and such other buildings as may be required for Corporate purposes in the said City of Victoria;

Be it therefore enacted by the Municipal Council of the City of Victoria:

1. It shall and may be lawful for the Mayor and Council of the Corporation of the City of Victoria to purchase and hold in the name of the Corporation of the City of Victoria and for Corporate purposes all and singular Lots Numbers 1249 and 1250, in the City of Victoria as shown upon the Official Map thereof at a sum or price not to exceed Five Thousand Dollars to be paid out of the General Revenue of the said City.

2. This By-Law may be cited for all purposes as "The Victoria Municipal Land By-Law, 1874.

Passed the Municipal Council this 26th day of August, A.D. 1874.

WILLIAM DALBY, Mayor.

WM. LEIGH, Clerk to the Municipal Council.

### No. 19.

ANNO TRIGESIMO OCTAVO.

#### VICTORIÆ REGINÆ.

#### THE CORPORATION OF THE CITY OF VICTORIA, B. C.

*By-Law making all By-Laws now in force applicable to the Extended City Limits.*

WHEREAS by Letters Patent dated the Ninth day May, A. D. 1873, under the great Seal of the Province of British Columbia, the Limits of the Corporation of the City of Victoria as they then existed were extended.



AND WHEREAS doubts have arisen as to whether the By-laws in force at the date of the said Letters Patent apply to the newly Incorporated Limits; and it is expedient to remove such doubts.

Be it therefore enacted by the Mayor and Councillors of the City of Victoria as follows:

1. That all By laws of the Corporation of the City of Victoria in force at the date of the said Letters Patent shall, subject to any amendments since made thereto, be deemed to apply and extend and are hereby declared to apply and extend to the additional Limits of the City of Victoria, as established by the said Letters Patent.

2. This By-law may be cited for all purposes as the Extended Limits By-law, 1874.

Passed the Municipal Council this 18th day of November, A. D. 1874

WM. DALBY, Mayor.

W. LEIGH,  
Clerk to the Municipal Council.

## No. 20.

ANNO TRIGESIMO SEPTIMO.

VICTORIÆ REGINÆ.

THE CORPORATION OF THE CITY OF VICTORIA, B. C.

*A By-Law to regulate the Election of the Mayor and Councillors for the City of Victoria, in the year 1875.*

WHEREAS, the first section of the Municipality Amendment Act, 1874, provides (among other things) that in every city, being a municipality, a Mayor shall be elected annually. And that such election take place at the same time and place as the nomination of Councillors, and the polling (if any) at such election shall be had and taken at such time and place, or times and places, as the Council shall by By-Law appoint.

AND WHEREAS, by the said Act it is further provided that the voting for Councillors and Mayor, in every Municipality, shall be by ballot.

AND WHEREAS, it is expedient that a time and place for the election of a Mayor for the City of Victoria, for the Municipal year, now next ensuing, shall be fixed, and that provisions should be made for the polling (if any) of votes at the said election.

Be it therefore enacted by the Mayor and Council of the Corporation of the City of Victoria as follows:—

1. The election of a Mayor for the Municipality of the City of Victoria shall take place at the same time as the election of Councillors for the said City; that is to say, on the second Monday in January next; and such election shall commence at twelve o'clock noon on the same day.

2. The nomination of candidates for the respective offices of Mayor and Councillors of the City of Victoria shall take place at the City Council Chambers.

3. The Returning Officer of Yates street Ward shall on the day of nomination, at noon, nominate such persons as shall be put in nomination, in that behalf, by some duly qualified voter, as candidates for the said offices, as the case may be. A show of hands shall then take place, and the said Returning Officer shall thereupon declare which of the candidates, has or have been elected, by the show of hands.

4. In case a poll shall be duly demanded at the election of a Mayor, the vote of the electors shall be taken by ballot at the following voting places in the several Wards of the City, hereinafter specified,

*In Johnson Street Ward, at Johnson near Government Street,*

*In Yates Street Ward, at Council Chambers.*

*In James Bay Ward, at near cor. Broughton and Government Streets,*

*And the said Poll shall be opened at 10 o'clock A. M., and close at 4 o'clock P. M.*

5. In case a poll shall be duly demanded at the election of Councillors for any ward in this city, the vote of the electors entitled to vote in such Ward, shall be taken on the following day, and at the following places, that is to say:—

*In Johnson Street Ward, at Johnson near Government Street.*

*In Yates Street Ward, at Council Chambers.*

*In James Bay Ward, at near cor. Broughton and Government Streets.*

*And the said Poll shall be opened at 10 o'clock A. M., and close at 4 o'clock P. M.*

6. In case of a poll at an election, the votes shall be given by ballot. The ballot of each voter shall consist of a paper (in this By-Law called a ballot paper) showing the names and descriptions of the candidates. Each ballot paper shall have a number printed on the back, and shall have attached a counterfoil with the same number printed on the face. At the time of voting the ballot paper shall be marked on both sides with an official mark and delivered to the voter within the polling station, and the number of such voter on the register or list of Municipal voters shall be marked on the counterfoil, and the voter having secretly marked his vote on the paper and folded it up so as to conceal his vote, shall place it in a closed box in the presence of the officer presiding at the polling station after having first shown to him the official mark on the back.

7. Any ballot paper which has not on its back the official mark, or on which votes are given to more candidates than the voter is entitled to vote for, or on which anything except the said number on the back is written or marked, by which the voter can be identified shall be void and not counted.

8. After the close of the poll, the ballot boxes shall be closed up so as to prevent the insertion of additional ballot papers, and shall be taken charge of by the returning officer for Yates Street Ward, and that officer shall, in the presence of such of the candi-

dates as may be in attendance, or their agents, and of the returning officers, open the ballot-boxes and ascertain the result of the poll by counting the votes given to each candidate, and shall forth with declare to be elected the candidates or candidate to whom the majority of votes have been given.

9. Where an equality of votes is found to exist between any candidates at an election, and the addition of a vote would entitle any of such candidates to be declared elected, the returning officer shall give such additional vote, but shall not in any other case be entitled to vote at an election for which he is returning officer.

This By-Law may be cited for all purposes as the Municipal Elections, Regulations and Ballot Act, 1875.

1. If any candidate nominated during the time appointed for the election is withdrawn, the returning officer of the Ward in which such nomination shall take place shall give public notice of the name of such candidate as well as of the candidates who stood nominated or were elected.

2. The returning officer in each Ward shall forthwith publish a notice in the form in the second schedule to this By-Law, of the name of the person nominated as a candidate or candidates by placarding or causing to be placarded the name of each candidate in a conspicuous position outside the building in which the room is situate appointed for the election.

3. Each polling station shall be furnished with such number of compartments in which the voters can mark their votes, screened from observation as the returning officer thinks necessary, so that at least one compartment be provided for every one hundred and fifty electors, entitled to vote at such polling station,

4. A separate room or separate booth may contain a separate polling station, or several polling stations may be constructed in the same room or booth.

5. The Returning Officer shall give public notice of the situation of polling stations, and the description of voters entitled to vote at each station, and of the mode in which electors are to vote.

6. The Clerk of the Municipal Council shall provide each polling station with materials for voters to mark the ballot papers, with instruments for stamping thereon the official mark, and with copies of the register of voters. He shall keep the official mark secret, and an interval of not less than seven years shall intervene between the use of the same official mark at elections for the same Ward.

7. The Returning Officer in each Ward shall personally attend and shall keep order at his station, shall regulate the number of electors to be admitted at a time and shall exclude all other persons except the Clerks, the agents of the candidates, and the constables on duty.

8. Every ballot paper shall contain a list of the candidates described and arranged alphabetically in the order of their surnames, and (if there are two or more candidates with the same surname) of their other names. It shall be in form set forth in the second schedule to this By-Law, or as near thereto as circumstances admit, and shall be capable of being folded up.

9. Every ballot box shall be so constructed that the ballot papers can be introduced therein, but cannot be withdrawn therefrom without the box being unlocked. The presiding officer at any polling station just before the commencement of the poll, shall show the ballot box empty to such persons, if any, as may be present in the station, so that they may see that it is empty, and shall then lock it up and place his seal upon it in such manner as to prevent its being opened without breaking such seal, and shall place it in his view for the receipt of ballot papers and keep it so locked and sealed.

10. Immediately before a ballot paper is delivered to an elector it shall be marked on both sides with the official mark, either stamped or perforated, and the number, name and description of the elector as stated in the copy of the register shall be called out and the number of such elector shall be marked on the counterfoil, and a mark shall be placed in the register against the number of the elector to denote that he has received a ballot paper, but without showing the particular ballot paper which he has received.

11. The elector on receiving the ballot paper shall forthwith proceed into one of the compartments in the polling stations, and there mark his paper and fold it up so as to conceal his vote, and shall then put his ballot paper so folded up into the ballot box.

12. The returning officer in each ward on the application of any voter who makes such a declaration as hereinafter mentioned, that he is unable to read, shall in the presence of the agents of the candidates, cause the vote of such voter to be marked on a ballot paper in manner directed by such voter, and the ballot paper to be placed in the box, and the name and number on the register of voters of every voter whose vote is marked in pursuance of this rule; and the reason why it is so marked shall be entered on a list in this By-Law called the list of votes marked by the returning officer.

The declaration in this By-Law referred to as "the declaration of inability to read" shall be made by the voter at the time of polling before the returning officer, who shall attest it in the form hereinafter mentioned, and no fee, stamp or other payment shall be charged in respect of such declaration, and the said declaration shall be given to the returning officer at the time of voting.

13. If a person representing himself to be a particular elector named on the list of voters applies for a ballot paper after another person has voted as such elector, the applicant shall be entitled to mark a ballot paper in the same manner as any other voter, but the ballot paper (in this By-Law called a tendered ballot paper) shall be of a colour differing from the other ballot papers, and instead of being put into the ballot box, shall be given to the returning officer, and endorsed by him with the name of the voter and his number in the register of votes, and set aside in a separate packet, and shall not be counted by the returning officer. And the name of the voter and his number on the register shall be entered on a list in this By-Law called "the tendered voter list."

14. A voter who has inadvertently dealt with his ballot paper in such manner that it cannot be conveniently used as a ballot paper may, on delivering to the Returning Officer the ballot paper so inadvertently dealt with, and proving the fact of the inadvertence to the satisfaction of the Returning Officer, obtain another ballot paper in place of the ballot paper so delivered up (in this By-Law called a spoilt ballot paper) and the spoilt ballot paper shall be immediately cancelled.

15. The Returning Officer in each Ward as soon as practicable after the close of the poll, shall in the presence of the agents of any of the candidates or candidate, if they should desire to be present make up into separate packets sealed with his own seal and the seal of such agents of the candidates as desire to affix their seals:

1. Each ballot box at use at his station, unopened, but with the key attached; and
2. The unused and spoilt ballot papers, placed together; and
3. The tendered ballot papers; and
4. The marked copies of the register of voters; and the counter-foils of the ballot papers; and
5. The tendered votes list and the list of votes marked by the presiding officer, and a statement of the number of the voters whose votes are so marked by the returning officer under the head "unable to read" and the declarations of inability to read; and shall deliver such packets to the returning officer of Yates Street Ward.

16. The packets shall be accompanied by a statement made by such returning officer, showing the number of ballot papers entrusted to him, and accounting for them under the heads of ballot papers in the ballot box, unused, spoilt, and tendered ballot papers, which statement is in this By-Law referred to as "the ballot paper account."

17. The candidates may respectively appoint agents in the manner hereinbefore mentioned, to attend the counting of the votes.

18. The returning officer for Yates Street Ward shall make arrangements for counting the votes in the presence of the agents of any of the candidates as soon as practicable after the close of the poll; and shall give to the agents of any of the candidates appointed to attend at the counting of the votes, notice in writing of the time and place at which he will begin to count the same.

19. The returning officer of Yates Street Ward, his assistants and clerks and the agents of the candidates, and the candidates or any of them; and no other person except with the sanction of the returning officer of Yates Street Ward, may be present at the counting of the votes.

20. Before the said returning officer proceeds to count the votes, he shall in the presence of the agents of the candidates open each ballot box and taking out the papers therein shall count and record the numbers thereof; and then mix together the whole of the ballot papers contained in the ballot boxes. The said returning officer while counting and recording the number of ballot papers, and counting the votes, shall keep the ballot papers with their face upwards and take all proper precautions for preventing any person from seeing the numbers printed on the backs of such papers.

21. The returning officer shall so far as practicable proceed continuously with counting the votes allowing only reasonable time for refreshment.

22. The said returning officer shall endorse "rejected" on any ballot paper which he may reject as invalid and shall add to the endorsement "rejection objected to" if an objection be in fact made by any agent to his decision. The said returning officer shall report to the Clerk of the Municipal Council the number of

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ballot papers rejected and not counted by him under the several heads of

1. Want of official mark.
2. Voting for more candidates than entitled to.
3. Writing or mark by which voter could be identified.
4. Unmarked or void for uncertainty, and shall on request allow any agents of the candidates before such report is sent to copy it.

23. Upon the completion of the counting, the said returning officer shall seal upon separate packets the counted and repeated ballot papers. He shall not open the sealed packet of tendered ballot papers, or marked copy of the register of voters and counterfoils but shall proceed in the presence of the agents of the candidates to verify the ballot paper, account given by each presiding officer by comparing it with the number of ballot papers recorded by him as aforesaid; and the unused and spoilt ballot papers in his possession, and the tendered votes list, and shall re-seal each sealed packet after examination. The said returning officer shall report to the Clerk of the Municipal Council the result of such verification and shall on request allow any agents of the candidates before such report is sent to copy it.

24. Lastly, the returning officer shall forward to the Clerk of the Municipal Council all the boxes and papers aforesaid, endorsing on each packet a description of its contents, and the date of the election to which they relate and the name of the Ward for which such election was held.

25. The Clerk of the Municipal Council shall retain for a year all documents relating to an election forwarded to him in pursuance of this By-Law by a returning officer, and then unless otherwise directed by the Municipal Council shall cause them to be destroyed.

26. No person shall be allowed to inspect any rejected ballot papers in the custody of the Clerk of the Municipal Council, except under the order of the Mayor or a Judge of the Supreme Court of British Columbia, to be granted by such court on his being satisfied by evidence on oath that the inspection or production of such ballot papers is required for the purpose of instituting or maintaining a prosecution of an offence in relation to ballot papers or for the purpose of a proceeding questioning an election or return, and any such order for the inspection or production of ballot papers may be made subject to such conditions as to persons, time, place, and mode of inspection or production as the Court making the same may think expedient; and shall be obeyed by the Clerk of the Municipal Council. Any power given to a Court by this rule may be exercised by any Judge at such Court at Chambers.

27. No person shall, except by order of any tribunal, having cognizance of proceedings complaining of undue returns or undue election, open the sealed packets of counterfoils after the same have once been sealed up, or be allowed to inspect any counted ballot papers in the custody of the Clerk of the Municipal Council; such order may be made subject to such conditions as to persons, time, place, and mode of opening or inspection as the tribunal making the order may think expedient, provided that on making

and carrying into effect any such order, care shall be taken that the mode in which any particular elector shall have voted shall not be discovered until he has been proved to have voted, and his vote has been declared by a competent court to be invalid.

28. All documents forwarded by the said returning officer in pursuance of this By-Law to the Clerk of the Municipal Council other than the ballot papers and counterfoils shall be open to public inspection at such time, and under such regulations as may be prescribed by the Clerk of the Municipal Council with the consent of the Mayor and the Clerk of the Municipal Council, shall supply copies of or extracts from the said documents to any person demanding the same on payment of such fees; and subject to such regulations as may be sanctioned by the Mayor.

### GENERAL PROVISIONS.

29. In the case of a contested election for any Ward or for the office of Mayor, the returning officer in any Ward may in addition to and Clerks appoint competent persons to assist him in counting the votes.

30. No person shall be appointed by a returning officer for the purposes of an election who has been employed by any other person in or about the election.

31. The returning officer may do by the deputy returning officer or clerks appointed to assist him any act which he is required, or authorized to do by this By-Law at a polling station.

32. A candidate may himself undertake the duties which any agent of his if appointed might have undertaken, or may assist his agent in the performance of such duties, and may be present at any place at which his agent may in pursuance of this By-Law attend. If such agent dies or becomes incapable of acting during the time of the election the candidate may appoint another agent in his place, and shall forthwith give to the returning officer notice in writing of the name and address of the agent so appointed.

33. Every returning officer or deputy returning officer, and every official clerk, or agent authorized to attend at a polling station, or at the counting of the votes shall before the opening of the poll make a statutory declaration of secrecy in the presence (if he is the returning officer) of a Justice of the Peace, and if he is any other officer or an agent, of a Justice of the Peace or of the returning officer.

34. Where in this By-Law any expressions are used requiring or authorizing or inferring that any act or thing is to be done in the presence of the agents of the candidates, such expressions shall be deemed to refer to the presence of such agents of the candidates as may be authorized to attend, and as have in fact attended at the time and place where such act or thing is being done, and the non-attendance of any agents or agent at such time and place shall not, if such act or thing be otherwise duly done, in any wise invalidate the act or thing done.

## SECOND SCHEDULE.

List of Candidates nominated for.....Ward.

| SURNAME. | OTHER NAME | ABODE.   | RANK, PROFESSION OR OCCUPATION. |
|----------|------------|----------|---------------------------------|
| HAYWARD  | CHARLES    | VICTORIA | MERCHANT.                       |
| GOWAN    | CHARLES    | NANAIMO  | ATTORNEY.                       |
| DALBY    | WILLIAM    | CARIBOO  | MINER.                          |

(Signed)

A. B.,  
Returning Officer.

## FORM OF BALLOT PAPER.

COUNTERFOIL

No.....

1

HAYWARD.

X

2

GOWAN.

3

DALBY.

NOTE.—The Counterfoil is to have a number to correspond with that on the back of the Ballot Paper.

## FORM OF BACK OF BALLOT PAPER.

No.....

Election for.....Ward

Note.—(The number on the ballot paper is to correspond with that in the counterfoil.

## DIRECTIONS AS TO PRINTING BALLOT PAPER.

Nothing is to be printed on the ballot paper except in accordance with this Schedule.

The surname of each candidate, and if there are two or more candidates of the same name also the other names of such candidates, shall be printed in large characters as shown in the form, and the names addresses and descriptions and the number on the back of the paper shall be printed in small characters.



FORM OF DIRECTIONS FOR THE GUIDANCE OF THE VOTER IN VOTING WHICH SHALL BE PRINTED IN CONSPICUOUS CHARACTERS, AND PLACARDED OUTSIDE EVERY POLLING STATION; AND IN EVERY COMPARTMENT OF EVERY POLLING STATION:

The voter may vote for.....candidate.

The voter will go into one of the compartments and with the pencil provided in the compartment, place a cross on the right hand side opposite the name of each candidate for whom he votes, thus X

The voter will then fold up the ballot paper so as to show the official mark on the back, and leaving the compartment will without showing the front of the paper to any one, show the official mark on the back to the presiding officer, and then in the presence of the presiding officer, put the paper into the ballot box and forthwith quit the polling station.

If the voter inadvertently spoils a ballot paper he can return it to the officer who will, if satisfied of such inadvertency, give him another paper.

If the voter votes for more than.....candidate or places any mark on the paper by which he may be afterwards identified, his ballot paper will be void, and will not be counted.

If the voter takes a ballot paper out of the polling station, or deposits in the ballot box any other paper than the one given him by the officer, he shall, on summary conviction before a Justice of the Peace, be subject to imprisonment for any term not exceeding six months.

NOTE.—These directions shall be illustrated by examples of the ballot paper

#### FORM OF DECLARATION OF INABILITY TO READ.

I, A. B., of..... being numbered..... on the register of voters for.....Ward, do hereby declare that I am unable to read,

A. B. his mark.

The.....day of.....

I, the undersigned, being presiding officer at the.....polling station for the.....Ward, do hereby certify that the above declaration having been first read to the above named A. B., was signed by him, in my presence, with his mark.

Signed C. D.  
Presiding officer for Polling Station for the.....Ward.....

The.....day of.....

Passed the Municipal Council, December 30th, 1874

WM. LEIGH, C. M. C.

WM. DALBY, Mayor.

## No. 21.

ANNO TRIGESIMO OCTAVO.

VICTORIÆ REGINÆ.

## THE CORPORATION OF THE CITY OF VICTORIA.

*A By-Law for the Raising of a Municipal Revenue.*

[May 12th, 1875.]

Be it enacted by the Mayor and Council of the Corporation of the City of Victoria as follows:

1. From and after the passage of this by-law, the general municipal revenue of the city shall be raised, levied and collected for the use of the Corporation, from such sources as are hereinafter provided.

2. There shall be raised, levied, and collected, in each year upon the real and personal property mentioned in the Assessment Roll, for the time being in force in the city, an equal rate of one per cent, on the assessed value thereof as appears by the said roll. Amended by By-Law, No. 30.

3. The aforesaid taxes shall be due and payable by the person or persons liable for the same, to the Collector of the Municipal Council, at his office in the City Council Chambers, Broad street, Victoria, on the first day of June in each year.

4. Every person using any of the trades, occupations, professions, or business, in schedule A, hereunto annexed, particularly described, shall take out a periodical license for such period as in the said schedule A, set out, paying therefor such periodical sum as is there specified, which said sum shall respectively be paid in advanced to, and for the use of, the Corporation of the city of Victoria and their successors. Trades, &c., licenses as in Schedule A.

5. No person shall use, practice, carry on or exercise any trade, occupation, profession, or business in the said schedule A, described or named, without having taken out and had granted to him, her or it, a license in that behalf, under a penalty not exceeding the sum of £250 for every such offence, together with the amount which he should have paid for such license, which said amount and penalty shall, for the purpose of recovery, be held to be one penalty. Penalty for trading, &c., without a license

6. The licenses to be granted as aforesaid may be in the form in schedule B, to this By-Law, and the same are to be granted so as to terminate on the 30th day of June and the 31st day of December, and no proportionate deduction shall be made on account of any person or persons, commencing business between those dates. Form of License Schedule B, Repealed by By-Law, No. 23.

7. No license shall be granted to any person for the sale of wines, spirits, beer, or other fermented or intoxicating liquor by retail, unless upon the certificate of a Justice of the Peace; which said certificate shall be granted after specific and public application therefore, and after reasonable notice to such Justice, to be given by the applicant, due regard being had in the grant by such Justice of such certificate, to the requirement and convenience of the public; and except for the renewal of an expiring license, no such certificate shall be granted, unless the application therefor be signed by seventenths in number and value, of the owners or Liquor Licenses; how granted

leaseholders of the property abutting upon the same street or streets, and within the same block, as the premises named in such certificate shall abut upon, and be within, respectively; and such certificate may be in the form of schedule C; and such license for the sale of fermented and intoxicating liquor by retail, shall be granted only to the licensee in respect of the premises mentioned in such certificate, and no person so licensed to sell fermented or intoxicating liquor by retail, shall carry on such business in any other premises except the premises named in such license or certificate, under a penalty not exceeding the sum of \$250 for every such offence—and such license shall be granted so as to terminate on the 30th day of June, and the 31st day of December, and no proportionate deduction shall be made on account of any person commencing business between those dates provided that the Mayor of the said city may, at his discretion, transfer any such license to any person who shall have obtained such a certificate from a Justice of the Peace as aforesaid.

#### Auctioneer's Returns

8. Every person selling goods, merchandise, or merchantable commodities by public auction shall, on or before the tenth day of every month, make a return to the Collector of the Municipal Council of the city of Victoria, of the amount of money or equivalent of money received by him during the past month, ending on the last day of every month, in respect of goods, merchandise, or merchantable commodities sold by him by auction, and such return shall be in the form marked D, in the schedule to this By-Law; and every person selling by auction as aforesaid, shall pay to the Corporation of the city of Victoria, in addition to any license, as specified in schedule A, an amount equivalent to one and one-half per cent. upon the amount so received as aforesaid; and if any person, selling by auction as aforesaid, shall neglect to make such returns as aforesaid, he shall be liable to a penalty not exceeding the sum of \$250, and if any person selling by auction as aforesaid, shall make any false or fraudulent return of any matter contained in any such return as aforesaid, such person shall, upon a summary conviction thereof, be liable to a fine not exceeding \$500; or to imprisonment for any term not exceeding two years.

#### Road Taxes.

9. The annual taxes mentioned, and authorised to be assessed, levied, and collected by the Municipal Council of the city of Victoria, and by virtue of the "Road Ordinance, 1869," and the "Road Amendment Ordinance, 1870," shall, subject to the provisions of the said Ordinances, form part of the general municipal revenue aforesaid.

#### Dog Tax.

10. There shall be assessed, levied, and collected upon and from the owner of every dog running at large within the city limits, an annual rate of \$2 for each such dog, and for this purpose the harbourer of any dog for the space of one month shall be deemed the owner thereof.

#### Owner to be furnished with receipt and tag

11. On payment of any rate under the last preceeding section, the Collector of the Municipal Council shall furnish the owner of the dog in respect to which such rate is paid with a receipt, and also a tag or mark to be attached to a collar placed around the neck of such dog.

#### Proceedings for penalties

12. Whenever any pecuniary penalty is imposed for any offence, the same may, unless otherwise provided, be recovered by way of summary proceedings before any single Justice of the Peace having jurisdiction within the city limits, and every such penalty, with the costs of conviction, be levied by distress and sale of the

goods and chattels of the offender, and in case such goods and chattels shall prove insufficient to satisfy such penalty and costs, then by imprisonment of such person so offending, for any term not exceeding three calendar months.

13. In the case of any summary conviction under this By-Law, <sup>Warrant of Commitment</sup> no warrant of commitment upon a conviction shall be held to be invalid by reason of any defect therein; if it be therein alleged that the person offending has been convicted, and there be a good and valid conviction to sustain the same.

14. In the construction of this By-Law, in describing or referring to any person or party, matter or thing, any word importing the masculine gender, or singular number, shall be understood to include, and shall be applicable to several persons and parties as well as one person or party, and females as well as males, and bodies corporate as well as individuals, and several matters or things, as well as one matter or thing, unless it be otherwise provided, or there be something in the subject or context repugnant to such construction. <sup>Interpretation Clause.</sup>

15. For the purposes of this By-Law, the term wholesale trader shall be held to mean every proprietor of an Express Office, Gas Company, Fire Insurance Company, Coal Merchant, Lumber Dealer, Fur Trader, Foundry, Warehousman, and every person who sells articles in bulk or unbroken packages. <sup>Meaning of Wholesale Traders</sup>

16. For the purposes of this By-Law, a retail trader shall be held to mean every person carrying on any business or calling not otherwise specially mentioned, within the City limits. <sup>Meaning of Retail Trader Repealed by By-Law, No 29</sup>

17. This By-Law may be cited for all purposes as "The Victoria <sup>Short Title.</sup> Revenue By-Law 1875."

Passed the Municipal Council this 12th day of May 1875.

J. S. DRUMMOND, Mayor.

WM. LEIGH, Clerk Municipal Council.

#### SCHEDULE A.

Each person vending spirituous or fermented liquors by retail, for each house or place within the City limits, where such vending is carried on—\$100 for every six months.

Each person, not having a retail license as above, and vending spirituous or fermented liquors for wholesale, that is to say, in quantities of not less than two gallons, for each house, within the City limits—\$25 for every six months.

Each person keeping a saloon, or building where a billiard table is used for hire or profit, within the City limits—\$5 for each table for every six months.

Each person keeping or letting for hire, any bowling alley or rifle galler, for each bowling alley or rifle gallery within the city limits—\$10 for every year.

Every person keeping a dance house within the City limits—\$200 for every twelve months.

Every person selling opium, except chemists and druggists using the same in the preparation of prescriptions of medical practitioners—\$50 for every six months.

Every person carrying on the business of a wholesale, or of a

wholesale and retail, merchant or trader within the City limits—\$50 for every six months.

Every retail trader within the City limits—\$5 for every six months.

The two last licences to enable the person paying the same to change his place of business at pleasure, but not to carry on business at two places at the same time under one license.

Every person selling, or offering to sell goods or merchandise within the City limits, as the agent or traveller of any person, firm, or company not carrying on business within the City limits, the same sum as such last named person, firm, or company would be liable to pay if he or they carried on business within the City limits.

Repealed by By-Law,  
No. 29.

Every hawker or peddler within the City limits—\$20 for every twelve months.

Every person carrying on the business of a pawnbroker within the City limits—\$150 for every twelve months.

Every person owning a pack train of more than six animals, freight waggon, stage coach or omnibus, used in transporting goods for profit or hire a distance beyond ten miles from the city of Victoria, and not paying a merchant's or trader's license—\$10 for every twelve months.

Every person owning a pack train of less than six animals, dray, waggon, or other vehicle used in transporting goods and passengers for profit or hire within a distance of ten miles from the city of Victoria, and not paying a merchant's or trader's license—\$5 for every twelve months.

Every livery stable keeper within the city limits—\$20 for every twelve months.

Every cattle dealer—\$20 for every twelve months.

Every person, firm, or body corporate, carrying on the business of a banker at one place of business within the city limits, such bank being a bank of issue—\$200 for every six months' and for each other place of business within the city limits—\$50 for every six months.

Every person, company, or body corporate, carrying on the business of a banker at one place of business within the city limits, such bank not being a bank of issue—\$100 for every six months, and for each other place of business within the city limits—\$25 for every six months.

Every person following the occupation of a conveyancer or land agent, or both, within the city limits—\$25 for every six months.

Every auctioneer (not being a Government officer, selling by auction Government property, or sheriff or sheriff's officer or bailiff selling lands, goods or chattels taken in execution or for the satisfaction of rents or taxes) in addition to any other license before mentioned, and  $1\frac{1}{2}$  per cent. on returns of sales exclusive of real estate—\$50 for every six months.

Every proprietor or manager of any circus exhibiting within the city limits—for each exhibition \$10.

Repealed by By-Law,  
No. 29.

Every proprietor or manager of any theatre or public exhibition within the city limits—for each exhibition, \$5.

## SCHEDULE B.

NO.

FORM OF LICENSE.

A. B. has paid the sum of .....dollars in respect of a license to .....and is entitled to carry on the business or occupation of .....

C. D., COLLECTOR.

## SCHEDULE C.

I, A. B., of.....Justice of the Peace for...hereby certify that C. D., is a fit and proper person to be licensed to sell fermented and intoxicating liquor by retail, but such business to be carried on only on the premises following. [Describe them]

Dated the.....day of.....18.

## SCHEDULE D.

## AUCTIONEER'S RETURN.

| Name of Auctioneer. | Amount of moneys or equivalents received on account of sales during the month ending - | Amount payable in respect of one and a-half per cent upon the same. |
|---------------------|----------------------------------------------------------------------------------------|---------------------------------------------------------------------|
|                     |                                                                                        |                                                                     |

I, A. B., do hereby declare that the above return is a faithful and true return of the matters therein set forth to the best of my knowledge, information and belief.

(Signed)

A. B.

## No. 22.

ANNO TRIGESIMO NONO.

VICTORIÆ REGINÆ.

## CORPORATION OF THE CITY OF VICTORIA, B. C.

[April 19th, 1876.]

*A By-Law to amend "The By-Law Defining the Duties of the Water Commissioner, 1873."*

Be it enacted by the Mayor and Council of the Corporation of the City of Victoria, as follows :

Section six of "The By-Law Defining the Duties of the Water Commissioner, 1873," is hereby repealed, and in lieu thereof be it enacted.

The said Commissioner shall whilst he shall continue to be employed and during the construction of the said Water Works receive as remuneration a salary at the rate of twelve hundred dollars per annum, payable by equal monthly instalments.

This By-Law may be cited as the By-Law to amend "The By-Law Defining the Duties of Water Commissioner, 1873."

Passed the Municipal Council, April 19th, 1876.

J. S. DRUMMOND, Mayor.

WILLIAM LEIGH,

Clerk to the Municipal Council.

**No. 23.**

ANNO TRIGESIMO NONO.

## VICTORIÆ REGINÆ.

## CORPORATION OF THE CITY OF VICTORIA, B. C.

[April 19th, 1876.]

PROPOSED AMENDMENT OF THE BY-LAW RESPECTING THE DUTIES AND COMPENSATION OF THE CITY SURVEYOR AND WATER WORKS ENGINEER, 1873.

*A By-Law to amend the By-Law entitled "The City Surveyor and Water Works Engineer By-Law, 1873."*

Be it enacted by the Mayor and Council of the Corporation of the City of Victoria, as follows :

Section six of the City Surveyor and Water Works Engineer By-Law, 1873, is hereby repealed and in lieu thereof be it enacted :

The compensation or salary of the City Surveyor and Engineer of the Water Works together for the performance of the duties hereinbefore specified is fixed at the sum of One Hundred Dollars per month.

This By-Law may be cited as the By-Law to amend "The City Surveyor and Water Works Engineer By-Law, 1873."

Passed the Municipal Council, this 19th day of April, 1876.

J. S. DRUMMOND, Mayor.

WILLIAM LEIGH,  
Clerk to the Municipal Council.

**No. 24.**

ANNO TRIGESIMO NONO

## VICTORIÆ REGINÆ.

*Municipal By-Law to define the Duties and fix the Remuneration of the Health Officer of the City of Victoria.*

[May 25th, 1876.]

Be it enacted by the Mayor and Council of the Corporation of the City of Victoria, as follows :

I. It shall be the duty of the Health Officer of the City of Victoria :

- (a) To attend at the Council Chambers as often as the Board of Health shall direct.
- (b) To keep a record of all his proceedings in books to be provided him for that purpose and to report to the Board of Health weekly, or oftener if necessary.
- (c) He shall visit all steam or other vessels coming from foreign ports carrying passengers before their arrival at the wharf in the ports of Victoria and Esquimalt.
- (d) To examine all sources of filth and causes of sickness which may be on board any vessel, at any wharf within the Harbor

of the City of Victoria, or which may have been landed from any vessel on any wharf or other place, when notified of the same, and report the same to the Board of Health or to the Mayor.

- (e) In case any contagious or infectious disease exists upon any vessel coming within the Harbors of Victoria or Esquimalt, to notify the Quarantine Officer immediately of the fact with the view of having such vessel quarantined.
- (f) To report to the Board of Health or to the Mayor any nuisance which he may consider such, arising from defective sewers or decaying animal or vegetable matter or other cause, within the City.
- (g) On any case or cases of contagious or infectious disease or diseases within the City being reported to him, to visit the same and to report to the Mayor or to the Board of Health any such case or cases, and to take such steps as the Board of Health may direct.

II. The said Health Officer shall, whilst he shall continue to be employed, receive as remuneration a salary at the rate of \$600 per annum, payable monthly by instalments of \$50 per month.

III. This By-Law may be cited for all purposes as "The Health Officer By-Law, 1876."

Passed the Municipal Council the 25th day of May, 1876.

WM. LEIGH, J. S. DRUMMOND, Mayor.  
Clerk Municipal Council.

## No. 25.

### MUNICIPAL BY-LAW.

CORPORATION OF THE CITY OF VICTORIA, PROVINCE OF BRITISH COLUMBIA.

*A By-Law to make further provisions for the raising of a Municipal Revenue.*

[February 8th, 1877.]

**WHEREAS** it is expedient to impose a read tax upon all male persons above eighteen years of age residing in the City of Victoria or owning property therein for the purpose of raising a further Municipal Revenue:

Be it enacted by the Mayor and Council of the Corporation of the City of Victoria as follows:

1. Every male person above eighteen years of age, residing or living in the City of Victoria, shall pay an annual tax of two dollars, and every person non-resident owning real estate in the said City shall pay a like tax to be a charge on his, her, or their real estate. Repealed by No. 28.

2. Any tax due under the provisions of this By-Law which shall not be paid after the same is demanded within thirty days of the period when it shall have become due may be recovered at the suit or instance of the Collector in a summary manner before any Justice of the Peace having jurisdiction within the Corporation of the City of Victoria, together with the costs of proceedings, such amount of tax and costs to be recovered by distress on the goods and chattels wherever found of the person liable to pay the said tax, and in default of any goods and chattels whereon to levy the



amount of the said tax and costs then by imprisonment not exceeding 7 days in the discretion of the said Justice.

3. For the purposes of this By-Law the term residing or living shall signify a residence of not less than 30 days.

4. This By-Law may be cited for all purposes as "The Victoria Road Tax By-Law 1877."

Passed the Municipal Council this 7th day of February 1877.

(Signed) M. W. T. DRAKE, Mayor.

WILLIAM LEIGH,  
Clerk to the Municipal Council.

### No. 26.

#### *A By-Law to Fix the Compensation of the City Surveyor and Water Works Commissioner.*

**W**HEREAS the City Surveyor and Engineer of the Water Works has been duly appointed Water Works Commissioner under the provisions of "The Corporation of Victoria Water Works Act, 1873."

And whereas it is expedient to fix the amount of salary or compensation to be paid to the said officer in respect of each of the said offices:

Therefore, be it enacted by the Mayor and Council of the Corporation of the City of Victoria, as follows:

The By-Law dated the 19th April, 1876, entitled "By-Law to amend the By-Law defining the duties of the Water Commissioner" is hereby repealed, but such repeal shall not revive any by-law or section of by-law repealed by the said by-law or section of the 19th April, 1876.

2. The By-Law entitled "The By-Law defining the duties of the Water Commissioner, 1873," is hereby amended by the insertion, as Section 6 thereof, of the following clause:

"The said Commissioner shall whilst he shall continue to be employed receive as remuneration a salary at the rate of nine hundred dollars per annum payable by equal monthly instalments."

The By-Law dated the 19th April, 1876, entitled the By-Law to amend "The City Surveyor and Water Works Engineer By-Law, 1876," is hereby repealed, but such repeal shall not revive any by-law or section of by-law repealed by the said by-law of the 19th April, 1876.

The By-Law entitled "The City Surveyor and Water Works Engineer By-Law, 1873," is hereby amended by the insertion as section number six thereof, of the following clause:

"The City Surveyor and Engineer of the Water Works shall whilst he shall continue to be employed receive as remuneration a salary at the rate of six hundred dollars per annum payable by equal monthly instalments."

This By-Law may be cited as the By-Law to fix the salary of the City Engineer and Water Works Commissioner, 1877.

Passed the Municipal Council the 14th day of February 1877.

M. W. TYRWHITT DRAKE, Mayor.

WM. LEIGH, Clerk Municipal Council.

**No. 27.***A By-Law Prohibiting the Selling, Disposing of, Giving Away, Neglect or Waste of Water supplied by the Water Works.*

WHEREAS it has been found necessary to prohibit by fine or imprisonment the selling, disposing of, giving away, neglect or waste of water supplied by the Water Works.

Therefore the Municipal Council of the Corporation of the City of Victoria, enacts as follows:

1. It shall not be lawful for any person being the occupant tenant or inmate of any house or otherwise supplied with water from the Water Works of the City of Victoria to sell or dispose of such water or give it away to any person or persons whomsoever unless in case of actual necessity or permit it to be taken or carried or away by any person or persons whomsoever or to use or apply it to the use or benefit of others or to any other than to his, her or their own use and benefit, or to increase the supply of water agreed for with the Water Commissioner or to wrongfully neglect or improperly waste such water.

2. That any person or persons guilty of an infraction of any of the provisions of this By-Law shall, upon conviction before any Justice of the Peace before whom any proceedings may be taken for the enforcement thereof on the oath or affirmation of any credible witness forfeit and pay at the discretion of the said Justice convicting a penalty not exceeding one hundred dollars for each offence together with the costs of such prosecution, or shall be imprisoned at the discretion of the said Justice convicting, for a term not exceeding three calendar months with or without hard labor, and in default of payment of said fine and costs forthwith it shall and may be lawful for the Justice convicting as aforesaid to issue a warrant under his hand and seal to levy the said penalty and costs or costs only by distress and sale of the offender or offenders' goods and chattels; and in case of no sufficient distress to satisfy the said penalty and costs it shall and may be lawful for the Justice convicting as aforesaid to commit the offender or offenders to prison for any period not exceeding three calendar months unless the said penalty and costs be sooner paid.

3. This By-Law may be cited for all purposes as "The Water Works Prohibition By-Law, 1877."

Passed the Municipal Council February 14th, 1877.

M. W. TYRWHITT DRAKE, Mayor.

WILLIAM LEIGH,

Clerk to the Municipal Council

**No. 28.****MUNICIPAL BY-LAW.***A By-Law to amend "The Victoria Road Tax By-Law, 1877."*

[February 28th, 1876.]

Section one of the By-Law entitled "The Victoria Road Tax By-Law, 1877," is hereby amended by the addition of the following words, which shall be read with and form part of the said section.

"And such Tax shall become due and payable to the Collector of the Corporation of the City of Victoria, on the first day of April in each year."

This By-Law may be cited as "The Victoria Road Tax Amendment By-Law, 1877."

Passed the Municipal Council 28th February, 1877.

M. W. T. DRAKE, Mayor.

WILLIAM LEIGH, C. M. C.

### No. 29.

*A By-Law to amend 'The By Law for the Raising of a Municipal Revenue, 1875.'*

[April 16th, 1877.]

Be it enacted by the Mayor and Council of the Corporation of the City of Victoria, B. C., as follows:

1. Section six of "The By-Law for the raising of a Municipal Revenue, 1875," is hereby repealed, and in lieu thereof be it enacted:

2. The licenses to be granted as aforesaid may be in the form in Schedule B to this By-Law, and the same are to be granted so as to terminate on the 30th day of June and the 31st day of December, and that a proportionate deduction shall be made on account of any person or persons commencing business between those dates; except in the granting of Liquor Licenses, when no proportionate deduction shall be made.

3. So much of Schedule "A" as refers to Hawkers or Peddlers and Proprietors or Managers of Theatres or Public Exhibitions, is hereby repealed, and in lieu thereof be it enacted:

Every Hawker or Peddler within the City Limits, a sum not less than \$5 and not to exceed \$20 for every twelve months.

4. Every proprietor or manager of any Theatre within the City Limits for a single entertainment \$5 and for a month \$50; and for other minor Exhibitions, for single entertainment \$2 50, and for a month \$25.

5. Every Commercial Traveller the sum of \$10 for every six months.

6. Section sixteen of the said By-Law is hereby repealed and in lieu thereof be it enacted.

Every person carrying on any trading business or calling other than those mentioned in the "Municipal Revenue By-Law 1875," or this By-Law, the sum of \$5 for every six months.

This By-Law may be cited for all purposes "The By-Law to amend the By-Law for the Raising of a Municipal Revenue, 1875."

Passed the Municipal Council this Eighteenth day of April, 1877.

M. W. TYRWHITT DRAKE, Mayor.

WILLIAM LEIGH,

Clerk to the Municipal Council.

## No. 30.\*

*A By-Law to enable the Corporation of the City of Victoria to raise the sum of \$20,000 for the purposes therein set forth.*

WHEREAS the Municipal Council of the Corporation of the City of Victoria has resolved to raise a further sum of money for the purpose of repairing, extending and carrying on Water Works for the supply of water to the City of Victoria, and in order to do so will require the sum of \$20,000 to be obtained in the manner hereinafter recited.

And whereas it will require the sum of \$2,013 to be raised annually by special rate for the payment of the said debt and interest as is hereinafter mentioned.

And whereas the amount of the whole ratable property of the said Corporation of the City of Victoria, according to the last revised Assessment Roll, being for the year 1876, was \$2,483,825, irrespective of any future increase of the ratable property of the Municipality and of any income in the nature of Tolls, Interest or Dividends from the work; and also irrespective of any income from the temporary investments of the Sinking Fund, or of any part thereof.

And whereas for paying the interest and creating an equal yearly Sinking Fund for paying the said principal sum of \$20,000 and interest, as hereinafter mentioned, it will require an equal annual rate of one-tenth of one per cent. in the dollar.

Therefore enacted by the Mayor and Council of the Corporation of the City of Victoria.

1. That it shall be lawful for the Mayor of the City to raise by way of loan, from any person or persons, body or bodies corporate, who may be willing to advance the same upon the credit of the debentures hereinafter mentioned, a sum of money not exceeding in the whole the sum of \$20,000, and to cause the same to be paid into the hands of the Treasurer of the said Corporation for the purpose and with the object above recited.

2. That it shall be lawful for the said Mayor to cause any number of Debentures to be made for such sums of money as may be required not less than \$100 each, and that the said Debentures shall be sealed with the seal of the said Corporation of the City of Victoria and be signed by the said Mayor.

3. That the said Debentures shall be made payable in Twenty-five years at furthest from the day hereinafter mentioned for this By-Law to take effect, at the office of the Treasurer of the Corporation of the said City of Victoria and shall have attached to them Coupons for the payment of the interest.

4. That the said Debentures shall bear interest at and after the rate of eight per cent. per annum from the date thereof, which interest shall be payable half-yearly at the office of the Treasurer of the Municipality.

5. That for the purpose of forming a Sinking Fund for the payment of the said Debentures and the interest at the rate aforesaid to become due thereon, an equal special rate of one-tenth of one cent in the dollar shall in addition to all other rates, be raised, levied and collected in each year upon all ratable property in the said Municipality during the continuance of the said Debentures or any of them.

3. Clause two of the "Victoria Revenue By-Law, 1875," is hereby amended by striking out the words one per cent. and inserting in lieu thereof the words nine-tenths of one per cent.

7. It shall be lawful for the said Municipal Council from time to time to repurchase any of the said Debentures from persons desirous of selling the same; and all Debentures so repurchased shall be forthwith cancelled and destroyed, and no reissue of Debentures shall be made in consequence of such repurchase.

8. That this By-Law shall take effect and come into operation upon the fifteenth day of May, A. D. 1877.

9. This By-Law may be cited for all purposes as the "Water Works Debenture and Revenue By-Law Amendment By-Law, 1877."

1877, 2d May, passed second reading.

M. W. TYRWHITT DRAKE, Mayor.

WILLIAM LEIGH.

Clerk to the Municipal Council.

### No. 31.

#### MUNICIPAL BY-LAW.

CORPORATION OF THE CITY OF VICTORIA, PROVINCE OF BRITISH COLUMBIA.

*A By-Law to authorise the Sale of Lands within the City of Victoria upon which Taxes to an equal or greater sum than Twenty-five Dollars have been due and in arrear for three years.*

[May 16, 1877.]

**WHEREAS** it is expedient that all lands or parcels of lands within the City of Victoria upon which taxes amounting to a sum of Twenty-five dollars or more have been due and in arrear for three years shall be sold and the proceeds applied in the reduction of such taxes.

Be it enacted therefore by the Mayor and Council of the Corporation of the City of Victoria.

1. The Assessor and Collector of the Municipal Council of the City of Victoria, is hereby authorised and directed, Whenever taxes on any land amounting to twenty-five dollars have been due for and in the third year, or more than three years preceding the current year, to submit to the Mayor of the City of Victoria a list in duplicate of all the lands liable under the provisions of this By-Law to be sold for taxes with the amount of arrears against each lot set opposite to the same; and the Mayor shall authenticate such lists by affixing thereto the seal of the Corporation and his signature, and one of such lists shall be deposited with the Clerk of the Corporation and the other shall be returned to the Assessor and Collector with a warrant thereto annexed under the hand of the Mayor and the seal of the Corporation, commanding him to levy upon the land for the arrears due thereon with his costs.

2. It shall not be the duty of the Assessor and Collector to make inquiry before effecting a sale of lands for taxes to ascertain

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whether or not there is any distress upon the land, nor shall he be bound to inquire into or form any opinion of the value of the land.

3. The Assessor and Collector shall prepare a copy of the list of lands to be sold and shall include therein, in a separate column, a statement of the proportion of costs chargeable on each lot for advertising and for the commissions authorised by this By-Law to be paid to him, and shall cause such list to be published in some daily paper in the City of Victoria for a period of three months preceding such intended sale.

4. The advertisement shall contain a notification that unless the arrears and costs are sooner paid he will proceed to sell the lands for the taxes on a day, a time and at a place named in the advertisement.

5. The Assessor and Collector shall, at least three months before the time of sale, also deliver to or deposit in the Post Office to the address of the owner of such property which is to be sold for taxes as aforesaid, or to the agent of such owner, a notice in writing of the amount of taxes due and that the property is to be sold for arrears so due, and in case the address of the owner or agent is unknown a notice to the same effect shall be posted up on the land intended to be sold, and shall also at least three months before the time of sale post a notice similar to the above advertisement in some convenient and public places, that is to say, at the Council Chambers, Victoria, and in the Post Office Building, Victoria.

6. The day of sale shall be the ninetieth day after the publication of such list exclusive of the day of such publication, except in case the said ninetieth day shall fall on a Sunday or holiday, in which case such sale shall take place on the following day at the Council Chambers, in the City of Victoria, and shall begin at twelve o'clock noon.

7. If at any time appointed for the sale of the lands no bidders appear, the Assessor and Collector may adjourn the sale from time to time.

8. If the taxes have not been previously collected, or if no one appears to buy the same at the time and place appointed for the sale, the Assessor and Collector shall sell at public auction so much of the land as may be sufficient to discharge the taxes and all lawful charges incurred in and about the sale and the collection of the taxes, selling in preference such part as he may consider best for the owner to sell first; and in offering such lands for sale it shall not be necessary to describe particularly the portion of the lot or section which shall be sold, but it will be sufficient to say that he will sell so much of the lot or section as shall be necessary to secure the payment of the taxes due and the amount of taxes stated in the advertisement shall in all cases be prima facie evidence of the correct amount due.

9. If the Assessor and Collector fails at such sale to sell such land for the full amount of arrears of the taxes due, he shall at such sale adjourn the same until a day to be publicly named by him not earlier than one week nor later than three months thereafter of which adjourned sale he shall give notice by advertisement in one of the local papers in which the original notice was advertised, and on such day he shall sell such lands for any sum he can realize and shall accept such sum as full payment for such arrears of taxes.

10. If the purchaser of any property or parcel of land fails im-

mediately to pay to the Assessor and Collector the amount of the purchase money, the Assessor and Collector shall forthwith again put up the property for sale.

11. Immediately after every sale the Assessor and Collector shall return a list of the arrears satisfied by such sale to the Clerk of the Corporation and shall at the same time pay in the proceeds of such sale to the said Clerk.

12. The Assessor and Collector after selling any land for taxes shall give a certificate under his hand to the purchaser, stating distinctly what part or proportion as the case may be of the land and what interest therein have been sold, or stating that the whole lot section or estate has been so sold and describing the same, and also stating the quantity of land, the sum for which it has been sold and the expenses of sale, and further stating that a deed conveying the same to the purchaser or his assigns, according to the nature of the estate or interest sold will be executed by him, and the Mayor on his or their demand at any time after the expiration of one year from the date of the certificate, if the land be not previously redeemed.

13. The Assessor and Collector shall be entitled to five per centum commission upon the sums collected by him as aforesaid.

14. This By-Law may be cited for all purposes as "The Victoria Real Estate Tax Sale By-Law, 1877.

Passed the Council this 17th day of May, 1877.

M. W. TYRWHITT DRAKE, Mayor.

WILLIAM LEIGH,  
Clerk to the Municipal Council.

## No. 32.

### *Victoria Municipal Pound By Law.*

WE, the Mayor and Councillors in Council convened by virtue of the power and authority vested in us by an Act entitled "The Victoria Municipal Ordinance, 1867," and the "Victoria Municipal Amendment Ordinance, 1869."

Whereas, it is expedient for the good government of the City of Victoria, that a City Pound be established for the impounding swine, goats, horses, horned cattle and dogs found at large or straying within the limits of the said City, and that such animals be declared a nuisance, and disposed of as such.

Be it therefore enacted by the Mayor and Councillors of the said City of Victoria, as follows:

1. That a public pound shall be established by the Mayor and Council for impounding of swine, goats, horses, horned cattle and dogs, and a pound keeper from time to time by them appointed, who, subject to the approval of the Mayor and Council of the said city, shall be at liberty to appoint in writing one or more deputy or deputies.

2. That from and after the passing of this By-Law, all swine, goats, horses, bulls and steers, and dogs found at large or stray-

ing in any public way, street, thoroughfare or unenclosed land within the City limits, shall be deemed a nuisance and may be dealt with as hereinafter provided.

3. The Council may from time to time define the limits by resolution duly passed within which cows may graze without being liable to be thereby impounded.

4. All animals so found at large or straying as aforesaid, may be taken by the pound keeper or his deputy or deputies, who shall impound the same in the city pound.

5. A book shall be kept in which shall be entered, with all due speed, a true and faithful record of the number of the animals impounded, where they were found at large or straying; also of the date of their receipt, and the date and manner of their disposal; and if sold, the name address and addition of each purchaser.

6. Every animal so impounded as aforesaid, shall forthwith be advertised by notice in writing posted at a conspicuous place on the pound gate, and also at the office of the Clerk of the said Municipal Council, in which notice shall be stated a reasonable description of the animals and the date and hour of the impounding, and such notice shall be kept so posted for the space of three days.

7. All animals impounded shall be properly housed and shall be furnished with all necessary sustenance whilst so impounded; but no animal shall be fed until six hours after impounding.

8. A fine not exceeding the sum of Two Dollars may be levied or collected on or in respect of each animal impounded, and a further reasonable sum for the sustenance of such animal after such period of six hours not exceeding in the case of each pig, goat, or dog, the sum of Twenty-five cents, and in the case of each horse or horned cattle so impounded, the sum of Fifty cents per day, each day or part of a day such animal shall be or continue so impounded, may be levied or collected thereon or in respect thereof, in lieu and in satisfaction of all charges for the housing and sustenance thereof.

9. That in case any injury or damage be done by any animals which are hereby prohibited from running at large, to any person or to any property sufficiently enclosed, the cattle when impounded shall not be released until the amount of damage claimed by the owner or occupier of the property damaged shall be deposited with the pound keeper in addition to the fees herein mentioned.

10. In case the amount claimed for damage shall be more than the owner of the animals impounded think right, the amount of such damage shall be referred to the Mayor who shall appoint a person to value and estimate the damage done, and the costs of such valuation, not exceeding Three Dollars, shall be paid by the losing party.

11. In case no dispute shall arise as to the amount of damage, or in case the same is settled as aforesaid, then the pound keeper is to pay over to the owner or occupier of the property injured the amount in his hands after deducting the fees hereby made payable.

12. The owner of any animal impounded may at any time prior to the sale or other disposition thereof, as hereinafter provided, have the same released on payment to the Clerk of the Municipal Council of the fines, charges and expenses chargeable thereon



under the authority of this By-Law; or, in the case of dogs, the amount of the rate or tax payable thereon for the current year when impounded, together with the charges for the sustenance, as aforesaid.

13. On payment of the monies referred to in the last preceding section of this By-Law, an order in writing for the discharge of the animal on account of which the payment shall have been made, signed by the Clerk of the said Municipal Council, shall be given to the person making the payment, and on delivering such order to the pound keeper or one of his deputies, the animal therein referred to shall be released.

14. Every animal so impounded as aforesaid, which shall not have been released within seven days from the day on which it shall have been advertised as aforesaid, may be offered for sale by Public Auction at the place and time in manner hereinafter appointed and shall be sold to the highest bidder, who shall thereupon become the absolute owner thereof, any law to the contrary notwithstanding.

15. Public Auctions for the sale of animals to be sold under the authority of this By-Law shall be held at the City pound on Wednesday and Saturday in each week, at the hour of twelve o'clock at noon, or at such other place or time as the said Municipal Council, by notices signed by the Clerk of the said Council and posted in a conspicuous place on the pound gate and advertised in one of the daily newspapers published and circulated in the said City, for the space of ten days shall from time to time previously appoint; and no such animal shall be sold except at such auction; and such sales shall be conducted by the pound keeper, or his deputy or deputies, or one of them, or such other person or persons as the said Municipal Council shall from time to time appoint.

16. The proceeds of every such sale as aforesaid shall be applied as follows: In the first place as Municipal Revenue in or towards paying, satisfying and discharging the fines, charges, rates, taxes, sums and expenses imposed or authorized to be levied or collected, under this By-Law, and the balance (if any) of such proceeds shall be carried to an account in the Books of the said Municipal Council for use of the owner of such animal, subject as herein mentioned.

17. All monies held by the said Municipal Council for the use of the owner of any animal sold under the authority of this By-Law, shall be deemed to be and shall be forfeited to the said Mayor and Council if such person shall not establish his claim thereto within six calendar months from the day on which such animal shall have been impounded.

18. The payment of any monies authorized to be levied or collected under the authority of this By-Law, and the release of any dogs which may be impounded, shall not exempt or release the owner or owners of such dog from the payment of the penalty imposed by either of the said By-Laws for raising the Revenue aforesaid.

19. If any dog shall be offered for sale under this By-Law, by public auction, and shall not be sold, such dog shall be destroyed or otherwise disposed of, as the said Mayor, by writing under his hand, shall direct.

20. If the money to arise on the sale of any animal as aforesaid shall not be sufficient to satisfy the amount which shall have been chargeable thereon, or in case of dogs, if any dog shall be destroyed under the authority of this By-Law, the amount due to the Corporation of the said City in respect of the animal which shall have been sold or destroyed shall be deemed a penalty, and shall be recoverable from the owner of the said animal under the XL Section of the "Victoria Municipal Ordinance, 1867," and under the provisions of the "Victoria Municipal Amendment Ordinance 1869."

21. This By-Law may be cited for all purposes as the "Victoria City Pound By-Law, 1877."

Passed by the Municipal Council this 5th day of July, A. D. 1877

M. W. T. DRAKE, Mayor.

WILLIAM LEIGH.

Clerk to the Municipal Council.

### No. 33.

#### MUNICIPAL BY-LAW.

*A By-Law to provide for laying down a Gravel Sidewalk on the North side of Richardson Street, between Cook and Vancouver Streets.*

[August 8th, 1877.]

**WHEREAS** the owners of three-fifths of the lots in the block abutting the North side of Richardson Street, between Cook and Vancouver Streets, having signed a requisition calling upon the Municipal Council to lay down a gravel sidewalk on the said North side of Richardson Street, between Vancouver and Cook Streets aforesaid;

And, whereas it is estimated as is mentioned in the said requisition that for the purpose of carrying out the said improvement it will require a rate of fifty cents per running foot front to be assessed upon the owners of the lots aforesaid;

And whereas the Municipal Council approved of the said requisition and has decided to comply with the prayer thereof;

And whereas seven days notice in writing has been given to the remaining two-fifths of the owners of the lots in the said block of land of the intention of the Municipal Council to levy, assess and collect the said rate in order to carry out the said improvement;

Be it therefore enacted by the Municipal Council of the City of Victoria, aforesaid:

1. There shall be levied, assessed and collected upon the respective owners of lots in the block of land abutting on Richardson Street, between Cook and Vancouver Street a rate of fifty cents per running foot frontage.

2. The rates to be collected under the last preceding section of this By-Law shall be applied in laying down a gravel sidewalk on the North side of Richardson Street, between Vancouver and Cook Streets.

3. Payment of the rates mentioned in this By-Law shall if necessary be enforced in the manner prescribed in "The Municipal Amendment Act of 1873."

This By-Law may be cited as "The Richardson Street By-Law, 1877."

Passed the Municipal Council this 8th day of August, 1877.

M. W. TYRWHITT DRAKE, Mayor.

WILLIAM LEIGH,  
Clerk to the Municipal Council.

### No. 34.

#### MUNICIPAL BY-LAW.

##### *A By-Law to Regulate the Sale of Poisons.*

[August 8th, 1877.]

**WHEREAS** the sale of Poisons requires to be regulated.

Be it enacted by the Mayor and Council;

1. It shall be unlawful to sell any poison either by wholesale or by retail unless the bag, bottle, vessel, wrapper or cover in which such poison is contained be distinctly labelled with the name of the article and the word POISON and with name and address of the seller of the poison, and it shall be unlawful to sell any poison of those which are in the Schedule (A) to any person unknown to the seller unless introduced by some person known to the seller, and on every sale of any such article the seller shall before delivery make or cause to be made an entry in a book to keep for that purpose stating in the form set forth in Schedule (B) to this By-Law, the date of the sale, the name and address of the purchaser, the name and quantity of the article sold and the purpose for which it is stated by the purchaser to be required, to which entry the signature of the purchaser and of the person, if any, who introduced him shall be affixed, and any person selling poison otherwise than is herein provided shall upon a summary conviction before two Justices of the Peace be liable to a penalty not exceeding \$25 for the first offence and to a penalty not exceeding \$50 for the second or any subsequent offence and for the purposes of this section the person on whose behalf any sale is made by any apprentice or servant shall be deemed to be the seller, but the provision of this section shall not apply to sales by wholesale to retail Dealers in the ordinary course of wholesale dealing, nor shall any of the provisions of this section apply to any medicine supplied by a legally qualified Apothecary to his patient nor apply to any article when forming part of the ingredients of any medicine dispensed by a person under the direction of medical men provided such medicine be labeled with the name and address of the seller and the ingredient thereof be entered with the name of the person to whom it is so delivered in a book to be kept by the seller for that purpose.

2. All poisons mentioned in Schedule A shall be mixed with some light coloring matter.

#### SCHEDULE A.

Arsenic and its preparations,  
Prussic Acid,  
Strychnine and all poisonous vegetable,  
Alkaloids and their salts,  
Corrosive Sublimate,  
Aconite and its preparations.

## SCHEDULE B.

Name of Purchaser.  
 Name of quantity of poison sold.  
 Purpose for which it is required.  
 Signature of purchaser.  
 Signature of person introducing purchaser.

This By-Law may be cited for all purposes as the Sale of Poisons' By-Law, 1877.

Passed the Municipal Council this 8th day of August 1877.

M. W. TYRWHITT DRAKE, Mayor.

WILLIAM LEIGH,  
 Clerk to the Municipal Council

## No. 35.

*A By-Law to regulate the Maintenance and Repairs of Sidewalks, Footpaths and Verandahs within the City Limits.*

WHEREAS it is expedient to make provision for the regulation, construction, maintenance and repairs of sidewalks, footpaths and verandahs within the City limits.

Be it therefore enacted by the Corporation of the City of Victoria, as follows :

1. That the Victoria Footpath and Awnings By-Law, 1873, is hereby repealed.

2. Footpaths or sidewalks of a uniform grade and with a fall towards the street of not less than one-fourth of an inch to the foot, shall whenever and wherever by the Mayor and Council of the said City be deemed necessary or desirable, be constructed on each side of each street within the City limits and every footpath or sidewalk shall be not more in width than one-sixth of the street on which it abuts.

3. All footpaths or sidewalks shall be graded by the Mayor and Council at the expense of the City whenever such grading is necessary.

4. Each footpath or sidewalk within the said City limits shall be made of wood, stone flagging, tiles or bricks or such other material as the Street Committee may approve of; but each footpath or sidewalk shall be made of uniform material for the whole width throughout its entire length.

5. Footpaths or sidewalks already constructed shall whenever by the Mayor and Council deemed necessary be altered so as to conform to this By-Law.

6. If the footpaths or sidewalks are constructed of wood the planks shall be nailed to sleepers with nails of sufficient length to be driven into sleepers one and one-half inches, the sleepers shall be placed at a distance of not more than three feet apart.

7. All planks, sleepers and posts referred to in this By-Law shall be of sound material; the planks shall be not less than one and

one-half inches thick and not more than ten inches wide and not more than one sixth of the width of the street in length, and the sleepers and the posts shall be of sufficient length and shall not be less in dimensions than four inches by four inches or three inches by six inches; but it shall be lawful for the Mayor and Council by resolution to permit sidewalks of less width.

8. That all posts or pillars erected on any street shall stand precisely at the outer edge of the sidewalk, and shall have a ring and staple fixed therein for the purpose of securing horses.

9. Where any portion of any footpath or sidewalk in the said City may be required to be used by any wagon, cart, or other vehicle for gaining access to any premises the sidewalk, if constructed of wood, shall be laid longitudinally of plank not less than three inches thick upon the same level along the length of such footpath or sidewalk.

10. A good and sufficient fence or railing of a character material and in manner to be approved of by the said Mayor and Council or the Street Committee on their behalf shall be set up, erected, constructed and maintained at the side or sides of any footpath when and where by the said Mayor and Council or the Street Committee as aforesaid shall from time to time be deemed necessary for the safety of the public.

11. No person shall ride or shall drive, wheel or draw any wagon, cart, barrow or other vehicle upon or along or across any public footpath or sidewalk within the City limits (except hand carriages for children), and no person having the charge or control of any beast of burden shall intentionally cause or permit the same to stand or go upon any public footpath or sidewalk as aforesaid, or to stand upon any street crossing so as to obstruct the same.

12. No person shall back any wagon, cart, dray, or other vehicle against any footpath or sidewalk, within the City limits.

13. All persons riding or driving along the streets of Victoria, shall keep on the left side of the street.

14. That no building materials shall be laid down on any street or sidewalk without the consent of the Council, and all such building materials, as well as cellars and sewers in course of construction on or near any public street or thoroughfare shall be so guarded in the night time with a fence or beacon light, as to prevent accidents to persons or animals.

15. No person shall place on the streets or sidewalks any barrel, bale, crate or anything whatsoever, which in any way obstructs the footpaths or sidewalks, or which may be considered a nuisance by the said Mayor and Council or Street Committee, on their behalf unless in the case where packages are being opened for the of taking the contents into warehouses during reasonable hours and all convenient speed shall be used in removing the same and no articles shall be allowed to remain on the footpaths or sidewalks after dark.

16. No person or persons shall interrupt the travel of any highway by opening or excavating any portion of the footpaths on the same without first obtaining consent of the Municipal Council or the Street Committee on their behalf.

17. No persons shall in the front of any building erect any bay window which shall project on the line of a street.

18. Verandahs or awnings must extend from the front line of any buildings to the outside edge of the footpaths and shall project sufficiently to throw the rain beyond the sidewalk into the gutter and be kept free from leakage, and if constructed of wood must be planed lumber of the following dimensions: The posts shall not be less than four inches by four inches and let into the curb of the footpath. The front plate or girt shall not be less than two inches by ten inches planks. The rafters or joists shall not be less than two inches by six inches and shall not be placed more than six feet from centres. The purloins shall not be less than two inches by four inches scantling. The flooring or roof shall be of tongued and grooved boards not less than one inch in thickness.

19. The covering or floor of any awning or verandah shall not be less than fourteen feet above the level of the footpath. The cornice of the same shall not project more than eight inches beyond the line of the footpath except by resolution of the Mayor and Council.

20. Iron balconies supported by iron brackets shall not project more than three feet from the front line of any building to which they are attached.

21. Areas projecting from the front of buildings must be covered over with iron or strong wooden gratings the space between the bars of the same shall not exceed one inch,

22. No steps or boot scrapers shall be allowed on the footpaths,

23. All gates put up close to any street or sidewalk shall open inwardly instead of outwardly over such street or sidewalk, provided that one month's notice shall be given by the Council to parties who at the time of the passing of this By-Law have gates opening outwardly over any street or sidewalk or who have verandah posts erected on any sidewalk to remove, alter or make the same in accordance with this By-Law.

24. No person shall throw or pile cordwood, firewood, or coal upon any paved or planked sidewalk, or upon any of the streets of the City, or saw, or split cordwood, or firewood thereon, so as to obstruct the free use thereof, and no person shall stand on any such sidewalk with his woodsaw and horse so as to obstruct a free passage for foot passengers.

25. Hereafter no hanging or stationary signs crossing a footpath shall be less than nine feet from the lower edge of sign to the footpath.

26. It shall be the duty of the Police Constables of the City of Victoria to use their best endeavors to prevent any infraction of any of the provisions of this By-Law and to take all necessary proceedings for bringing to punishment parties guilty of any such infraction.

27. That in all cases when in the opinion of the Mayor and Council as expressed by resolution, it shall be expedient to construct any new sidewalk or repair any existing sidewalk or alter any

existing sidewalk so as to make the same conform in character and appearance to other sidewalks in the City or otherwise to conform to the requirements of this By-Law, it shall be the duty of the owner or owners occupier or occupiers of the lots abutting on that portion of any street where such construction alteration or reparation shall be considered necessary upon being notified in the manner hereinafter prescribed at his and their expense to construct, alter or repair such sidewalk according to the exigency of such notice and within such time as shall be expressed in such notice.

All notices under the proceeding section of this By-Law shall be in writing, and shall be served on the owner or owners occupier or occupiers of the land abutting on the street where such sidewalk shall be required to be constructed altered or repaired as aforesaid where it is practicable so to do; but if such owner or owners occupier or occupiers be absent from the City then such notice or notices may be served by posting the same in some conspicuous part of the land owned or occupied by owner or owners occupier or occupiers and by delivering a copy thereof to the agent or agents of such owner or owners occupier or occupiers in the Province of British Columbia or if there be no agent or agents of such person or persons in British Columbia then by posting a copy thereof addressed to such person or persons at his or their last known place of abode in addition to posting the same upon the land as aforesaid.

28. If any person or persons shall make default in constructing altering or repairing any sidewalk according to the exigency of of any notice under the provisions of this By-Law he shall be liable to a fine not exceeding \$20 in the discretion of any Justice of the Peace before whom he may be convicted.

29. Any person or persons refusing or neglecting to comply with any of the provisions or requirements of this By-Law or guilty of any infraction thereof other than those mentioned in the last preceding clause shall upon conviction thereof be subject to a fine of not less than \$5 or not more than \$20.

30. Every penalty imposed by this By-Law may together with the costs of conviction be recovered in a summary manner before the Mayor, Police Magistrate or any Justice of the Peace having jurisdiction within the limits of the City of Victoria and may be levied by distress and sale of the goods and chattels of the offender and in default of payment of such penalty and costs then by imprisonment of such offender for any term not exceeding one calendar month, in one of Her Majesty's gaols.

31. This By-Law may be cited for all purposes as "The Victoria Footpath and Awning By-Law, 1877"

Passed the Municipal Council this day, 29th August, 1877.

M. W. TYRWHITT DRAKE, Mayor.

WILLIAM LEIGH,  
Clerk of the Municipal Council.

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